

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, DECEMBER 15, 1986
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:02 p.m. with no quorum present. The meeting was called to order at 2:04 p.m. with Council Members Cleator and Ballesteros not present. Mr. Fred Colby of the San Diego Arts Resources Center made a presentation to Council thanking them for their participation in creating the 1987 San Diego Arts Directory. The meeting was recessed by Mayor O'Connor at 4:57 p.m. Deputy Mayor Jones reconvened the meeting at 5:08 p.m. with no quorum present. Deputy Mayor Jones reconvened the meeting at 5:09 p.m. with Mayor O'Connor not present. Deputy Mayor Jones adjourned the meeting at 6:57 p.m. to convene as the Redevelopment Agency.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present
- Clerk-Abdelnour (bb)

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-not present
- (4) Council Member Jones-not present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-not present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-not present

ITEM-10: INVOCATION

No invocation was given.

FILE LOCATION: MINUTES

Dec-15-1986

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Gotch.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

11/17/86 Adjourned

11/18/86

11/19/86 Special

11/24/86

11/24/86 Special

11/25/86

12/1/86 Adjourned

12/2/86 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A054-078.)

MOTION BY McCOLL TO APPROVE. Second by Ballesteros. Passed by
the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-50: (O-87-57) INTRODUCED, TO BE ADOPTED JANUARY 12,
1987

Introduction of an Ordinance amending Chapter IX, Article
3, Division 1, of the San Diego Municipal Code, by
repealing Sections 93.00.0401, 93.00.0503, 93.01.0708,
93.01.0709, 93.01.0712, 93.01.0805 and 93.01.1521; by
retitling Sections 93.00.0201, 93.00.0403, 93.00.0409,
93.00.1007 and 93.00.1206; by renumbering Section
93.00.0920; by renumbering and amending Section 93.00.0100;
by amending Sections 93.00.0000, 93.00.0002, 93.00.0003 and
93.00.0313; and by adding Sections 93.00.0004 and
93.00.1010, relating to the Plumbing and Mechanical Code.
(See City Manager Report CMR-86-577.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C088-099.)

CONSENT MOTION BY McCOLL TO INTRODUCE. Second by Cleator.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-51: (O-87-121) INTRODUCED, TO BE ADOPTED JANUARY 12, 1987

Introduction of an Ordinance establishing a two-hour parking meter zone between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the north side of Washington Street, between Brant Street and Albatross Street, and on the west side of Albatross Street, between Washington Street and a point 120 feet north of Washington Street.

(Uptown Community Area. District-2.)

CITY MANAGER REPORT: Presently there is two hour parking on both streets where the parking meters were requested. Petitions requesting the meters were signed by the owners of 66 percent of the frontage on Washington Street and 33 percent of the frontage on Albatross Street. Although this represents less than the normal percentage of frontage required in Council Policy 200-4 (75 percent), this is being presented for Council action due to the unusual circumstances at this location. The petitions for parking meter installation represent all but one property owner on the continuous Washington Street/Albatross Street frontage. The requestors have claimed that the one property, an automobile repair garage, which is not requesting the installation of parking meters, has been a major source of the parking problems along this frontage. The Police Department has confirmed this claim and reports that the two hour parking limits have become difficult to enforce. Although the installation of parking meters at this location will not solve all of the parking problems which currently exist, it will allow improved enforcement and should increase parking turnover. The preparation of this request for Council action was requested by the office of Council District 2.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B407-631.)

MOTION BY CLEATOR TO INTRODUCE. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-100: (R-87-960) ADOPTED AS RESOLUTION R-267231

Awarding contracts for the purchase of hardware and fasteners, as may be required for the period of one year beginning January 1, 1987 through December 31, 1987, for a total estimated cost of \$30,772.60, including tax and terms as follows:

- 1) Western Fastener Co. for Section I - carriage bolts, cotter pins, etc., Section V - stainless steel cap screws and nuts and Section VI - other fasteners;
- 2) Ababa Bolt, Inc. for Section II - Nails;
- 3) Pell Mell Supply Inc. for Section III - machine screws, etc.; and Section IV - toggle bolts and lag screws. (BID-7669)

FILE LOCATION: MEET CONFY87-3

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-101: (R-87-959) ADOPTED AS RESOLUTION R-267232

Inviting bids for the San Diego Stadium parking lot resurfacing and restriping on Work Order No. 118936; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$1,200,000 from Stadium Operations Fund 10330 for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-7733)

(Mission Valley Community Area. District-5.)

CITY MANAGER REPORT: San Diego Jack Murphy Stadium parking lot has not been resurfaced since it was built in 1967. It has been slurry sealed on three occasions; however, the condition of the parking lot now requires a higher degree of maintenance. Therefore, it is proposed that approximately one inch of asphalt be applied over the entire lot. This will ensure the safety of vehicles and pedestrians during Stadium events and avoid more costly repairs in the future. In conjunction with this project, a consultant has studied the layout of the parking lot in an attempt to add more parking spaces. As a result of the study, approximately 300 parking spaces will be added which should

alleviate some of the parking problems during sell-out Stadium events.

Aud. Cert. 8700459.

FILE LOCATION: W.O. 118936 CONTFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-102: (R-87-958) ADOPTED AS RESOLUTION R-267233

Inviting bids for San Diego Jack Murphy Stadium Lighting Conversion on on Work Order No. 118692; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$576,000 from Capital Outlay Fund 30244, CIP-34-104, Stadium Lighting Conversion for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-7732)

(Mission Valley Community Area. District-5.)

CITY MANAGER REPORT: This construction project provides for the relighting of the stadium field with state of the art metal halide lighting fixtures. The new system provides substantial energy savings and high level uniform lighting acceptable to media, spectators, and players. The lighting system to be replaced is the original 1967 installation which has served the stadium well in the delivery of adequate illumination but from an energy consumption standpoint is seriously deficient. The total savings generated by this project are estimated at \$162,000 per year which results in a 3.8 year payback. In addition to the above energy savings the decrease in the connected electrical load provides a moderate spare capacity in the system with the existing services.

Aud. Cert. 8700461.

FILE LOCATION: W.O. 118692 CONTFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-103: (R-87-957) ADOPTED AS RESOLUTION R-267234

Inviting bids for the renovation of Old Mission Dam - Phase I on Work Order No. 118581; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the Auditor and Comptroller to establish an interest bearing fund, Old Mission Dam Park Fund, to receive California Park and Recreation Act of 1984 grant funds (State of California Project No. 84-37020); authorizing the Auditor and Comptroller to transfer \$44,600 from Capital Outlay Fund 30245, CIP-20-010, Annual Allocation - Resource Based Open Space Parks to CIP-290554, Old Mission Dam - Phase I; authorizing the expenditure of funds not to exceed \$194,600 (\$44,600 from CIP-29-554, Old Mission Dam - Phase I and \$150,000 from the Old Mission Dam Park Fund) for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-7728)

(Mission Trails Regional Park Community Area. District-7.)

CITY MANAGER REPORT: This project will provide for improvements to the existing parking lot and adjacent parklands at the Old Mission Dam Park site. Specifically, this project involves repaving and striping of the parking lot, construction of rock walls, drainage structures, picnic tables, signs, landscaping and irrigation. This project is Phase I of a two phase program to implement the Council approved Final Development Plan for Old Mission Dam Park (R-264959). All work associated with this project is confined to parklands not in the riparian habitat area of the park.

Aud. Cert. 8700358.

FILE LOCATION: W.O. 118581 CONTFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-104:

Two actions relative to the final subdivision map of Black Mountain North Unit No. 2, a 16-lot subdivision located northeasterly of Black Mountain Road and Carmel Mountain Road:

(Penasquitos East Community Area. District-1.)

Subitem-A: (R-87-1044) ADOPTED AS RESOLUTION R-267235

Authorizing the execution of a subdivision improvement agreement with Sunland Housing Group, Inc. for the installation and completion of public improvements.

Subitem-B: (R-87-1043) ADOPTED AS RESOLUTION R-267236

Approving the final map.

FILE LOCATION: SUBD Black Mountain North Unit No. 2
CONTFY87-1

COUNCIL ACTION: (Tape location: B076-138.)

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-105:

Two actions relative to the final subdivision map of Black Mountain North Unit No. 3, a 16-lot subdivision located northeasterly of Black Mountain Road and Carmel Mountain Road:
(Penasquitos East Community Area. District-1.)

Subitem-A: (R-87-1048) ADOPTED AS RESOLUTION R-267237

Authorizing the execution of a subdivision improvement agreement with Sunland Housing Group, Inc. for the installation and completion of public improvements.

Subitem-B: (R-87-1047) ADOPTED AS RESOLUTION R-267238

Approving the final map.

FILE LOCATION: SUBD Black Mountain North Unit No. 3
CONTFY87-1

COUNCIL ACTION: (Tape location: B076-138.)

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-106:

Two actions relative to the final subdivision map of Black Mountain North Unit No. 4, a 26-lot subdivision located northeasterly of Black Mountain Road and Carmel Mountain Road:
(Penasquitos East Community Area. District-1.)

Subitem-A: (R-87-1046) ADOPTED AS RESOLUTION R-267239

Authorizing the execution of a subdivision improvement agreement with Sunland Housing Group, Inc. for the installation and completion of public improvements.

Subitem-B: (R-87-1045) ADOPTED AS RESOLUTION R-267240

Approving the final map.

FILE LOCATION: SUBD Black Mountain North Unit No. 4
CONTFY87-1

COUNCIL ACTION: (Tape location: B076-138.)

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-107:

Three actions relative to the final subdivision map of Black Mountain Ranchos Unit No. 4, a 45-lot subdivision located northwesterly of I-15 and Carmel Mountain Road: (Penasquitos East Community Area. District-1.)

Subitem-A: (R-87-1087) ADOPTED AS RESOLUTION R-267241

Authorizing the execution of a subdivision improvement agreement with Mountain Glen Associates for the installation of public improvements.

Subitem-B: (R-87-1086) ADOPTED AS RESOLUTION R-267242

Approving the final map.

Subitem-C: (R-87-1198) ADOPTED AS RESOLUTION R-267243

Approving the acceptance by the City Manager of a street easement deed of Mountain Glen Associates, granting to the City an easement for public street purposes in a portion of Section 12, Township 14 South, Range 3 West, San Bernardino Meridian; dedicating the same as and for public streets and naming the same La Trucha Street and Donaker Street.

FILE LOCATION:

Subitems A and B SUBD Black Mountain Ranchos
Unit No. 4;

Subitem C DEED F-3674

CONTFY87-1;DEEDFY87-1

COUNCIL ACTION: (Tape location: B076-138.)

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-108:

Four actions relative to the final subdivision map of Carmel Mountain Ranch Unit No. 15, a 4-lot subdivision located southeasterly of Rancho Carmel Drive and Carmel Mountain Road:
(Carmel Mountain Ranch Community Area. District-1.)

Subitem-A: (R-87-1042) ADOPTED AS RESOLUTION R-267244
Authorizing the execution of a subdivision improvement agreement with Carmel Mountain Ranch for the installation and completion of public improvements.

Subitem-B: (R-87-1041) ADOPTED AS RESOLUTION R-267245
Approving the final map.

Subitem-C: (R-87-1112) ADOPTED AS RESOLUTION R-267246
Vacating an unneeded general utility and access easement affecting Parcel 3 of Parcel Map PM-14068, pursuant to Section 8300 et seq. of the Streets and Highways Code.

Subitem-D: (R-87-1111) ADOPTED AS RESOLUTION R-267247
Approving the acceptance by the City Manager of that street easement deed of Carmel Mountain Ranch, granting to City an easement for public street purposes in a portion of Pompeii Farms Company, Pompeii Subdivision, Map-1738; dedicating said land as and for a public street, and naming the same Stoney Peak Drive.

FILE LOCATION:

Subitems A and B SUBD Carmel Mountain Ranch
Unit No. 15;

Subitem C DEED F-3675;

Subitem

D DEED F-3676 CONFY87-1;DEEDFY87-2

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,

Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-109:

Two actions relative to the final subdivision map of Carmel Valley Inn, a 1-lot subdivision located northwesterly of Carmel Valley Road and El Camino Real:
(North City West Community Area. District-1.)

Subitem-A: (R-87-1151) ADOPTED AS RESOLUTION R-267248
Approving the final map.

Subitem-B: (R-87-1152) ADOPTED AS RESOLUTION R-267249
Authorizing the execution of a subdivision improvement agreement with Atlas Hotels, Inc., Joseph F. Oliver, Jr. and Susan Mack Oliver for the installation and completion of public improvements.

FILE LOCATION: SUBD Carmel Valley Inn CONFY87-1

COUNCIL ACTION: (Tape location: A158-180;B139-189.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-110:

Five actions relative to the final subdivision map of North Creek Unit No. 6, a 120-lot subdivision located northeasterly of Sabre Springs Parkway and Poway Road:
(Sabre Springs Community Area. District-1.)

Subitem-A: (R-87-1126) ADOPTED AS RESOLUTION R-267250
Authorizing the execution of a subdivision improvement agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-87-1125) ADOPTED AS RESOLUTION R-267251
Approving the final map.

Subitem-C: (R-87-1127) ADOPTED AS RESOLUTION R-267252
Approving the acceptance by the City Manager of a grant deed of Pardee Construction Company, granting to the City Lot 120 of North Creek Unit No. 6.

Subitem-D: (R-87-1128) ADOPTED AS RESOLUTION R-267253

Approving the acceptance by the City Manager of a street easement deed of Pardee Construction Company, and of storm drain easement deeds of Palomar Enterprises, Incorporated and Pardee Construction Company, granting to the City easements for public street and storm drain purposes in portions of Sections 21 and 22, Township 14 South, Range 2 West, S.B.M.; dedicating said land as and for a public street and naming the same Poway Road.

Subitem-E: (R-87-1129) ADOPTED AS RESOLUTION R-267254

Approving the acceptance by the City Manager of a grant deed of Pardee Construction Company, granting to the City a portion of the Northwest Quarter of the Northeast Quarter of Section 21, Township 14 South, Range 2 West, S.B.M.

FILE LOCATION:

Subitems A and B SUBD North Creek Unit No.
6;

Subitem C DEED F-3677;

Subitem D DEED
F-3678;

Subitem E DEED F-3679
CONTFY87-1;DEEDFY87-3

COUNCIL ACTION: (Tape location: A181-204;B233-319.)

Motion by Wolfsheimer to continue. No second.

Motion by Wolfsheimer to review agreement for completion of public improvements. No second.

Motion by Wolfsheimer to approve

Subitems B, C, D, and E. No
second.

MOTION BY CLEATOR TO ADOPT SUBITEMS A, B, C, D, AND E WITH
DIRECTION TO THE TRANSPORTATION AND LAND USE COMMITTEE TO REVIEW
THE CITY'S STANDARD AGREEMENT FORMAT FOR ANY POSSIBLE POLICY
CHANGE(S). Second by McColl. Passed by the following vote:
Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,
Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor
O'Connor-yea.

* ITEM-111:

Two actions relative to View Ridge Unit No. 3, a 1-lot

subdivision located westerly of Bullock Drive and Deep Dell Road:
(South Bay Terraces Community Area. District-4.)

Subitem-A: (R-87-1054) ADOPTED AS RESOLUTION R-267255
Approving the final map.

Subitem-B: (R-87-1100) ADOPTED AS RESOLUTION R-267256
Authorizing the execution of an agreement with La Jolla Alta for acquisition of Lot 1, View Ridge Unit No. 3 as a park site; authorizing the addition of CIP-29-463.0, Boone Neighborhood Park, to the Fiscal Year 1987 Capital Improvement Program; authorizing the City Auditor and Comptroller to credit an amount not to exceed \$272,908.85 for park site improvement; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$225,000 from South Bay Terraces Park Development Fund No. 39089 to Boone Neighborhood Park, CIP-29-463.0; authorizing the expenditure of an amount not to exceed \$225,000 from Boone Neighborhood Park, CIP-29-463.0 for the purpose of providing funds for the above project; authorizing the City Auditor and Comptroller to transfer unexpended funds to the appropriate reserves upon the advice of the administering department.

CITY MANAGER REPORT: The resolution approving the tentative map of View Ridge Units 1 thru 10 requires the subdivider to reserve a park site in accordance with Section 66479 of the State Map Act. The proposed agreement provides for the acquisition of the park site concurrently with the filing of this subdivision map. The agreement also provides for the granting of park fee credits for the improvements to the property which are being constructed by the subdivider. The purchase price of the property is the fair market value of the property at the time the tentative map was originally submitted to the City on February 23, 1984, plus property taxes from the date of tentative map approval on September 4, 1984, to the present, plus other costs incurred by subdivider in the maintenance of the property. The fair market value of the property, as determined by appraisal, is \$151,625. Taxes and maintenance costs are estimated to be \$73,375, making the full purchase price of the property to be approximately \$225,000. The exact amount will depend on the actual date of the transfer of title which will occur within 30 days after Council approval. The amount of park fee credits being granted is not to exceed

\$272,908.85. This amount is based on the estimated value of the grading and other improvements to the park site being done by the subdivider.

Aud. Cert. 8700451.

FILE LOCATION: SUBD View Ridge Unit No. 3 - Bullock Drive
CONTFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-112: (R-87-901) ADOPTED AS RESOLUTION R-267257

Granting an extension of time to October 18, 1987 to Jung Ngoon Tom, subdivider, to complete the improvements required in Chollas Plaza.

(Mid-City Community Area. District-3.)

CITY MANAGER REPORT: On August 3, 1970, the City entered into an agreement with Clayton E. Wall and Bernis W. Wall, as subdivider, for the construction of public improvements for Chollas Plaza. The agreement expired on August 3, 1972. On October 24, 1974, a time extension was granted to August 1, 1976, by Resolution R-211822. On February 22, 1983, the City entered into an amendment to the Subdivision Improvement Agreement with Jung Ngoon Tom, as trustee. The amended agreement also provided for a time extension to December 1, 1984, by Resolution R-257982. The subdivider has requested a third time extension to October 18, 1987. It is recommended that the improvements to be delayed are not necessary to service adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD Chollas Plaza

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-113:

Two actions relative to the partial release of surety and time extension for Marbella Unit No. 2:
(Rancho Bernardo Community Area. District-1.)

Subitem-A: (R-87-903) ADOPTED AS RESOLUTION R-267258

Authorizing the City Manager to release a portion of the surety issued by Insurance Company of the West in the form of Performance Bond No. 13-07-54, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$410,370;
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$205,185.

Subitem-B: (R-87-902) ADOPTED AS RESOLUTION R-267259

Granting an extension of time to June 11, 1987, to Rancho Bernardo Development Company, subdivider, to complete the improvements required in Marbella Unit No. 2

CITY MANAGER REPORT: On November 19, 1984, the City entered into an agreement with Rancho Bernardo Development Company for the construction of public improvements for Marbella Unit No. 2. Performance Bond No. 13-07-54, issued by Insurance Company of the West, in the amount of \$1,243,545, was provided by the subdivider. The agreement expired on November 19, 1986. The subdivider has requested a partial release of surety and an extension of time to June 11, 1987, in which to complete the required improvements. Eighty-nine percent of the work has been completed to the satisfaction of the City Engineer. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced (approximately) 67 percent to \$410,370, and since the improvements to be delayed are not necessary to serve the adjacent development or the general public, that the time extension be granted.

FILE LOCATION: SUBD Marbella Unit No. 2

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-114: (R-87-904) CONTINUED TO JANUARY 12, 1987

Authorizing the execution of an amendment to the subdivision agreement for San Andres P.R.D. Unit No. 2 to provide for the substitution of Brisas, Ltd. for

Lomas Santa Fe, Inc., subdivider; accepting Performance Bond Rider with Performance Bond No. 13-46-92, issued by Insurance Company of the West, as surety for the required improvements.

(Via de la Valle Specific Plan Area. District-1.)

CITY MANAGER REPORT: On January 27, 1986, the City entered into an agreement with Lomas Santa Fe, Inc. for the construction of public improvements for San Andres P.R.D. Unit No. 2. The agreement expires on January 27, 1988. The property is now owned by Brisas, Ltd. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The new subdivider has provided a performance bond rider for the original bond naming Brisas, Ltd., as principal.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A205-221.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JANUARY 12, 1987 IN ORDER TO CHECK THE SUBDIVISION AGREEMENT TO MAKE SURE THAT THE IMPROVEMENTS THAT ARE REQUIRED ARE PRECISELY THE SAME IN BOTH CONTRACTS AND THAT DEADLINES WILL BE MET. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-nay, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-115:

Two actions relative to the improvement of Project First Class and Sewer Replacement - Contract No. 1 (1911 Improvement Act):
(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-87-1062) ADOPTED AS RESOLUTION R-267260

Authorizing the City Manager to initiate a Resolution of Intention for the improvement of Project First Class Alley and Sewer Replacement - Contract No. 1, under the provisions of the Housing and Urban Development Block Grant Program B-85-MC-06-0542, the San Diego Municipal Code, and the Improvement Act of 1911; directing the City Manager to prepare plans, drawings, typical cross-sections, profiles and specifications for Project First Class Alley and Sewer Replacement - Contract No. 1, together with estimates of the costs and expenses of such work and to furnish the Council with a description of the district to be included in the assessment work for the above improvements.

Subitem-B: (R-87-1063) ADOPTED AS RESOLUTION R-267261

Resolution of Intention for the improvement of Project
First Class Alley and Sewer Replacement - Contract No.

1.

CITY MANAGER REPORT: The Project First Class Alley and Sewer Replacement - Contract No. 1 is the first project in the Project First Class area to be considered by Council under the CDBG - Assessment District cost sharing concept. The cost sharing concept is based on CDBG funds being used to finance 50 percent of the alley improvements regardless of the income or residency status of the benefitting property owners. The remaining 50 percent of the alley improvement cost will be assessed to the benefitting parcels with CDBG funds being utilized to pay the assessments for owner-occupants who meet HUD income guidelines. Property owners who do not qualify may pay the remaining 50 percent over a period of ten years. The proposed improvements to the four alleys included in this contract consist of clearing, grubbing, grading, paving, curb, retaining wall, storm drain and sewer main replacement improvements. There are 108 parcels involved and 61 of them are owner-occupied. All property owners have been notified of the proposed improvements and given information regarding the assessment payment program. The cost of the sewer main replacements will be paid from the Water Utility Department sewer annual allocation funds.

FILE LOCATION: STRT D-2262

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-116: (R-87-1077) ADOPTED AS RESOLUTION R-267262

Calling for a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known as the Harbor Drive (5th Avenue to 1,000 feet north of Sigsbee Street) Underground Utility District.

(Barrio Logan/Harbor Community Area. District-8.)

CITY MANAGER REPORT: The proposed district will underground both distribution and transmission overhead utilities on Harbor Drive between 5th Avenue and the Harbor Drive Bridge to the south. Due to its substantially higher

cost, 69KV transmission lines are normally excluded from undergrounding projects. However, in this case it is recommended that the 69KV lines be undergrounded because of their proximity to the proposed Convention Center and the fact that the 69KV lines in Harbor Drive west of 5th Avenue were undergrounded when Harbor Drive was realigned in 1980. It is proposed that the additional cost of the 69KV undergrounding be provided by deferring the portion of this scheduled project between the bridge and Evans Street to Calendar Year 1994 or later.

The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. All of the 24 properties affected by this district are commercial/industrial in use. Conversion costs may vary from \$600 to several thousand dollars or more. Property owners will be eligible for reimbursement payments based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

FILE LOCATION: STRT K-170

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-117:

Two actions relative to the Bluebird Canyon Open Space Assessment District:
(La Jolla Community Area. District-1.)

19861215

Subitem-A: (R-87-1121 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-267263

Granting the petition for the acquisition of Parcel 1, Parcel Map PM-14157, (Bluebird Canyon) Open Space, under the provisions of the Municipal Improvement Act of 1913; directing the City Manager to appoint Finley, Kumble, Wagner, Heine, Underberg, Manley, Myerson and Casey as Special Bond Counsel in connection with the proposed proceedings for the Bluebird Canyon Open Space Acquisition.

Subitem-B: (R-87-1122) ADOPTED AS RESOLUTION R-267264

Authorizing the expenditure of an amount not to exceed \$45,000 from Open Space Bond Fund 79104, Dept. 79104, Org. 101, for the purpose of paying incidental expenses associated with the proposed assessment district.

CITY MANAGER REPORT: The City has received a property owner petition requesting the acquisition of Parcel 1, Parcel Map 14157, also known as Bluebird Canyon, for permanent open space via assessment district proceedings. The petition is signed by the owners of 74.1 percent of the land area proposed to be assessed for the acquisition. Bluebird Canyon is located approximately 1/2 mile south of the intersection of Nautilus Street and Muirlands Drive in the La Jolla community. The parcel is approximately four acres in size and consists of a canyon bounded generally on the south and east sides by steep cliffs 25 to 30 feet in height. A geological reconnaissance of the site was provided by the owner indicating that there are no significant geologic problems that would be inconsistent with the proposed open space use. The petitioners have requested that the City participate in the acquisition costs by paying the incidental costs, estimated to be \$40,000 to \$45,000. Under Council Policy 600-31, "Open Space Acquisition Through Donation or Assessment District," the assessment district would be eligible for a City contribution of up to 25 percent of the open space parcel value based on its category H ranking. This would amount to more than \$120,000. A full 25 percent participation is not recommended since the proposed acquisition has such limited benefit and a relatively high cost. The requested City participation level, which is less than 10 percent of the parcel value, is recommended. Aud. Cert. 8700460.

FILE LOCATION: STRT D-2261

COUNCIL ACTION: (Tape location: A135-157;A266-299.)

MOTION BY WOLFSHEIMER TO ADOPT AS AMENDED, AT THE REQUEST OF STACEY SULLIVAN, SUBITEM A GRANTING THE PETITION BUT CONTINUE THE APPOINTMENT OF A BOND COUNSEL UNTIL THE COUNCIL MEETING OF JANUARY 12, 1987, AND ADOPT SUBITEM B. Second by Gotch.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-118:

Two actions relative to the vacation of Danica Mae Drive and Mahaila Avenue:

(University City Community Area. District-1.)

Subitem-A: (R-87-1116) ADOPTED AS RESOLUTION R-267265
Vacating Danica Mae Drive, north of Mahaila Avenue, and
Mahaila Avenue, west of Danica Mae Drive, under the
procedure for the summary vacation of streets.

Subitem-B: (R-87-1117) ADOPTED AS RESOLUTION R-267266
Certifying that the information contained in
Environmental Mitigated Negative Declaration,
EMND-86-0411, issued in connection with Planned
Residential Development Permit (PRD-86-0411), has been
completed in compliance with the California
Environmental Quality Act of 1970, as amended, and the
State guidelines thereto, and that said Report has been
reviewed and considered by the Council.

CITY MANAGER REPORT: The abutting property owner has
requested the vacation of Danica Mae Drive and Mahaila Avenue
and has included the areas of vacation within the site plan
of the approved Planned Residential Development Permit
PRD-86-0411. The subject area is in an R-1000 Zone within
the University Community Plan Area. The total area of the
vacations is approximately 26,000 square feet and would
normally allow 26 additional residential units. However, the
approved PRD-86-0411 includes the areas of vacation as part
of its site plan for development of 302 residential units.
PRD-86-0411 is an amendment to the previously approved
PRD-83-0893. The amendment revises the previous site plan to
include an additional 131 multi-family dwelling units
covering Lots 8, 6 and 10 through 12 of La Jolla Village,
Map-8906.

The revision also includes a joint use recreational facility
over Lot 9. The Planning Department recommended approval of
the street vacations based on the approval of PRD-86-0411 by
the Planning Director on September 16, 1986. The Planning
Commission recommended approval of the street vacation by a
5-0 vote on October 9, 1986. The areas of vacation are
improved with curb, gutters and paving with the adjoining
property being undeveloped. The proposed vacations contain
public utilities but are to be relocated when development of
the property occurs so easement reservations will not be
required. The subject streets provide access only to the
property within the PRD site. Staff review has indicated
that the rights of way to be vacated are no longer needed for

present or prospective use and may be summarily vacated.
FILE LOCATION:

Subitem A STRT J-2634;

Subitem B DEED

F-3680 DEEDFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed
by the following vote: Wolfsheimer-yea, Cleator-yea,
McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-119:

Three actions relative to the vacation of a portion of
Mercy Road and a portion of Black Mountain Road:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-87-1113) ADOPTED AS RESOLUTION R-267267

Vacating a portion of Black Mountain Road and Mercy
Road, under the procedure for the summary vacation of
streets and public service easements where the streets
will have been superseded by relocation; declaring that
this resolution shall not become effective unless and
until the rededication for Mercy Road within Mercy Mira
Mesa subdivision (TM-85-0299) has been approved by
Council action; declaring that in the event the
dedication of the realignment for Mercy Road is not
approved by June 13, 1987, this resolution shall become
void and be of no further force or effect; directing the
City Engineer to advise the City Clerk of the approval
of the rededication of Mercy Road.

Subitem-B: (R-87-1114) ADOPTED AS RESOLUTION R-267268

Vacating the City's interest in an unneeded drainage
easement affecting a portion of Mercy Road east of Black
Mountain Road and within Parcel 2 of Parcel Map
PM-12296.

Subitem-C: (R-87-1115) ADOPTED AS RESOLUTION R-267269

Certifying that the information contained in
Environmental Impact Report EIR-85-0299, issued in
connection with Mercy Mira Mesa (TM-85-0299), has been
completed in compliance with the California

Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said Report has been reviewed and considered by the Council.

CITY MANAGER REPORT: The vacation of Mercy Road and Black Mountain Road are in conjunction with development of the Mercy Mira Mesa subdivision (TM-85-0299). The proposed vacation is within the Mira Mesa Community and the adjacent property is zoned R-10,000. The Subdivision Board approved the tentative map conditioned upon the approval of the street vacations. The tentative map and accompanying Planned Residential Development proposes subdivision of approximately 204 acres for 207 single family dwelling units, 448 multi-family dwelling units and 11 lots designated for open space totalling 117.2 acres.

Since the development is controlled by the PRD, the proposed vacations will not affect density. The areas of vacation are currently unimproved and contain franchised facilities which are covered by prior easements; therefore, no easements are to be reserved. The portion of Black Mountain Road requested for vacation is right-of-way excess to that required for the 6-lane major street specified in the tentative map. Mercy Road is classified as a 4-lane major street and was dedicated in 1982. During the approval of the tentative map, slight changes were made to the alignment of Mercy Road and a realignment became necessary. Upon the rededication of Mercy Road on the final map, the areas proposed to be vacated will no longer be required. Staff review has indicated that the rights-of-way to be vacated will no longer be required for present or prospective use, and can be summarily vacated conditioned upon the rededication of Mercy Road with the final map of the Mercy Mira Mesa subdivision.

FILE LOCATION:

Subitem A DEED F-3681 STRT J-2635;

Subitem B DEED F-3682;

Subitem C MEET

DEEDFY87-2

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-120: (R-87-1143) ADOPTED AS RESOLUTION R-267270

Approving the acceptance by the City Manager of that street easement deed of Pardee Construction Company, granting to City an easement for public street purposes in a portion of Section 17, Township 14 South, Range 3 West, S.B.M.; dedicating said land as and for a public street, and naming the same Lansdale Drive and Black Mountain Road.

(North City West Community Area. District-1.)

FILE LOCATION: DEED F-3683 DEEDFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-121: (R-87-1130) ADOPTED AS RESOLUTION R-267271

Authorizing the execution of a deed conveying to Pacific Bell an easement for aboveground and underground communication facilities and appurtenances affecting City-owned Lot 1 of Rancho del Rio Mobilehome Park.

(San Ysidro Community Area. District-8.)

CITY MANAGER REPORT: Rancho del Rio Mobilehome Park is being developed on a 23-acre City-owned site in San Ysidro by the lessee, Cal-West Diversified. The 55-year lease, which is administered by the Housing Commission, commenced in August 1984 and is for the construction and operation of 130 mobile home spaces, 30 percent of which are to be available to low-income tenants. TO provide underground telephone service to the development, Pacific Bell requires an easement from the City for the on-site underground telephone cables. The proposed easement has been cleared with the lessee and the Housing Commission. Approximately 13,520 square feet of the leasehold will be occupied by the easement, and the lessee is paying the installation costs.

FILE LOCATION: DEED F-3684 DEEDFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-122: (R-87-1097) ADOPTED AS RESOLUTION R-267272

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company an easement for an electric substation and appurtenances affecting a portion of City-owned Lot 3 of University-Sorrento Industrial - Sewer Pump Station 64.

(Sorrento Valley Community Area. District-1.)

CITY MANAGER REPORT: The City is upgrading and enlarging Pump Station 64 in Sorrento Valley to increase its operating capacity. In order to meet the station's greater energy requirements, SDG&E plans to replace the existing on-site electric substation with a new and larger one. SDG&E has requested an easement for the new substation and will quitclaim the easement for the old substation site when the new substation is constructed and placed in service. The substation is being built at City expense previously authorized by Council as part of the construction contract. The proposed easement, which contains about 5,600 square feet, has been cleared with the Water Utilities Department.

FILE LOCATION: DEED F-3685 DEEDFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-123: (R-87-1169 Rev.1) ADOPTED AS RESOLUTION R-267273
19861215

Authorizing the execution of a quitclaim deed, quitclaiming to Paul P. Pickering, M.D., and Paul P. Pickering III, all the City's right, title and interest in the sewer easement in Block 9, Fifth Street Addition, Map-577.

(Uptown Medical Complex Community Area. District-2.)

FILE LOCATION: DEED F-3686 DEEDFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-124: (R-87-841) ADOPTED AS RESOLUTION R-267274

Approving City Manager Report CMR-86-378, entitled "Council Policies on Mission Bay Park" and adopting as a

Council Policy on Mission Bay Park attachment A to the report; authorizing the City Clerk to cancel existing Council Policies 700-8 and 700-9.

(Mission Bay Community Area. District-6.)

COMMITTEE ACTION: Reviewed by PFR on 8/13/86.

Recommendation to combine and consolidate Council Policies 700-8 and 700-9. Districts 1, 2, 5, 6 and 7 voted ye.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-ye, Cleator-ye, McColl-ye, Jones-ye, Struiksma-ye, Gotch-ye, McCarty-ye, Ballesteros-ye, Mayor O'Connor-ye.

ITEM-125:

Two actions relative to Quarterly and Semi-Annual Equal Opportunity Reports:

Subitem-A: (R-87-1159) REFERRED TO THE CIVIL SERVICE COMMISSION

Adopting the Quarterly Equal Opportunity Status Report submitted as an attachment to City Manager Report CMR-86-516, dated 10/29/86, the August 29, 1986 Equal Opportunity Report from the Personnel Director and the October 29, 1986 Quarterly Equal Opportunity Report from the Civil Service Commission; changing the frequency of reporting from quarterly to semiannually, pursuant to the recommendation of the Citizen's Equal Opportunity Commission, contained in its October 29, 1986 report to the Mayor and City Council, and unanimously approved by Rules Committee on November 17, 1986; amending Council Policy 300-10, entitled "Equal Opportunity," to provide that Equal Opportunity Status Reports shall be submitted semiannually in lieu of quarterly.

(See City Manager Report CMR-86-516, EOC Report from the Personnel Director dated 8/29/86, and Quarterly Equal Opportunity Report from the Civil Service Commission dated 10/29/86.)

Subitem-B: (R-87-1094) ADOPTED AS RESOLUTION R-267276

Encouraging the Port District to enforce the goals and intent of the Minority and Women Business Enterprise Program for the Convention Center project.

COMMITTEE ACTION: Reviewed by RULES on 11/17/86.

Recommendation to accept the City Manager, Personnel Director and Civil Service Commission's reports with recommendation that all reports be semiannual. The Committee also directed the Equal Opportunity Administration Coordinator to work with the City Manager regarding the Convention Center bid process.

Districts 2, 3, 5 and Mayor voted yeas.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E338-500.)

Motion by Struiksma to continue the meeting to 6:15 p.m.

Second by McColl. Passed by the following vote:

Yeas-1,2,3,4,5,6,7,8. Nays-none. Not present-M.

MOTION BY CLEATOR TO REFER SUBITEM A TO THE CIVIL SERVICE COMMISSION TO DISCUSS THE ISSUE OF HOW TO HANDLE REPORTING PROCEDURES AND IF THERE IS ANY WAY TO "STREAMLINE" THE PROCESS, AND ADOPT SUBITEM B. Second by Wolfsheimer. Passed

by the following vote: Wolfsheimer-yea, Cleator-yea,

McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,

Ballesteros-yea, Mayor O'Connor-not present.

* ITEM-126: (R-87-1080) ADOPTED AS RESOLUTION R-267277

Directing the City Manager to provide the City's "Showmobile," to the Central City Association during the Holiday in the City Parade to be held on December 28, 1986 between 10:00 a.m. to 12:00 noon.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed

by the following vote: Wolfsheimer-yea, Cleator-yea,

McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,

Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-127: (R-87-1123) ADOPTED AS RESOLUTION R-267278

Authorizing the Auditor and Comptroller to amend the Fiscal Year 1987 Capital Improvements Budget to decrease the Park Service District allocation in CIP-29-413.0, Ridgewood Neighborhood Park - Acquisition and Development, by \$600,000 and to add \$600,000 allocation in Special Park Fees (Fund 39085), for the purpose of providing funds for the Ridgewood Neighborhood Park project.

(Penasquitos East Community Area. District-1.)

CITY MANAGER REPORT: Capital Improvement Program CIP-29-413, Ridgewood Neighborhood Park - Acquisition and

Development will provide a neighborhood park in the southeast area of the Penasquitos community. Inadvertently when the FY 1987 Capital Improvements Budget was printed, the incorrect designation of Park Service District Fees (PSD) was used as a source of funding. This action will allow the Auditor to use the correct designation which is Special Park Fees (SPF).

Aud. Cert. 8700457.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-128: (R-87-982) ADOPTED AS RESOLUTION R-267279

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$5,000 from Open Space Bond Fund 79104, for the purpose of the appraisal of five acres of the proposed Hage Neighborhood Park for open space acquisition.

(See City Manager Report CMR-86-479 and Committee Consultant Analysis PFR-86-38. Mira Mesa Community Area. District-5.)

COMMITTEE ACTION: Reviewed by PFR on 10/8/86.

Recommendation to approve expenditure of \$1,000,000 of Open Space Bonds to accelerate the purchase of a proposed neighborhood park in the Mira Mesa Community. Districts 2, 5, 6 and 7 voted yea. District 1 voted nay.

Aud. Cert. 8700430.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A222-265;B320-406.)

MOTION BY CLEATOR TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-129: (R-87-1135) ADOPTED AS RESOLUTION R-267280

Authorizing the transfer of the following amounts to CIP-29-248, Southwest Neighborhood Park Acquisition:
\$80,000 from CIP-29-467, Montgomery-Waller Community Park Improvements Park Service District 16740;
\$18,031 from PSD 11720;

\$3,782 from PSD 11725;
\$106,320 from PSD 16720;
\$14,315 from PSD 16721;
\$46,825 from PSD 16730;
\$8,920 from PSD 16732;
\$24,777 from PSD 16743;
\$16,827 from PSD 16750;
\$15,000 from PSD 16742; and
\$13,703 from PSD 16723.

Authorizing the expenditure of an amount not to exceed \$525,000 from CIP-29-248, Southwest Neighborhood Park Acquisition, for the purchase of a portion of Lots 54 and 55 of Nestor Acres for Southwest Neighborhood Park. (Nestor Community Area. District-8.)

CITY MANAGER REPORT: The authorization of \$525,000 is requested for the acquisition of a triangular 3.3 acre lot, level with no improvements, in the Nestor Community for the development of Southwest Neighborhood Park. The property is located at the southwest corner of Coronado Avenue and 27th Street and in an area deficient in park and recreational facilities. This park site is identified in and consistent with the Otay-Nestor Community Plan and is in accordance with the City's General Plan Guidelines. The property owner has agreed to the offer of \$500,000 if escrow closes by December 31, 1986.

Aud. Cert. 8700487.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-130: (R-87-1029) ADOPTED AS RESOLUTION R-267281

Approving the recommendations set forth in City Manager Report CMR-86-389, relating to an Open Funding Process for social service organizations, and the performance of a social service needs assessment, approved by the Public Services and Safety Committee on November 5, 1986; authorizing the City Auditor and Comptroller to transfer within the General Fund 100, the sum of \$18,260 from the Unallocated Reserve (605) to the Community Service Division of the Financial Management Department (055/203).

(See City Manager Report CMR-86-389 and Committee Consultant Analysis PSS-86-12.)

COMMITTEE ACTION: Reviewed by PSS on 11/5/86.

Recommendation to adopt the Resolution. Districts 1, 3, 7 and 8 voted yea. District 4 not present.

CITY MANAGER REPORT: On August 20, 1986, City Manager Report CMR-86-389 dealing with an open funding process for social services was presented to the Public Services and Safety Committee. The Committee received public testimony and discussed the issues contained within the report on September 17 and November 5, 1986. The Committee at the November 5 meeting unanimously supported the recommendations contained in the report, and referred the item to the full Council for its consideration. In brief, the recommendations were: 1) Implementation of a Request for Proposal process which would allow new social service projects to compete with existing programs for City funding; 2) Utilization of existing needs assessment data to provide guidelines under which the City will allocate its limited social services dollars; 3) The transfer of \$18,260 from the Unallocated Reserve to the Community Services Division of Financial Management so as to implement the Request for Proposal process; 4) Continue to receive input from the Human Care Task Force as to the human care needs within the San Diego area. The above recommendations will assist the Council in the 1988 distribution of social service dollars.

Aud. Cert. 8700448.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-131: (R-87-1098) ADOPTED AS RESOLUTION R-267282

Authorizing the City Manager to implement a revised fee schedule for the Convention and Performing Arts Center, to become effective January 1, 1987.

(See City Manager Report CMR-86-557.)

COMMITTEE ACTION: Reviewed by PFR on 11/26/86.

Recommendation to approve the new rates. Districts 1, 5 and 7 voted yea. Districts 2 and 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C040-087.)

MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-132: (R-87-986) ADOPTED AS RESOLUTION R-267283

Authorizing the City Manager to establish and adjust the public liability insurance requirements for the operation of City-owned tennis courts operated by non-profit tennis organizations pursuant to special operating permit.

(See City Manager Report CMR-86-552.)

COMMITTEE ACTION: Reviewed by PFR on 11/26/86.

Recommendation to reduce the amount of liability insurance for non-profit tennis clubs. Districts 1, 5 and 7 voted yea.

Districts 2 and 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-133: (R-87-1160) ADOPTED AS RESOLUTION R-267284

Approving the application and authorization to execute associated agreements for Historic Preservation Grants-In-Aid Funds for the Certified Local Government Grant Program.

(See Planning Department Report PDR-86-680.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-134: (R-87-1026) ADOPTED AS RESOLUTION R-267285

Closing the alley in Block 1 of Fleischer's Addition, between Johnson Avenue and approximately 75 feet south, to vehicular traffic; declaring that the alley is not currently needed for motor vehicle travel pursuant to California Vehicle Code Section 21101(a).

(See City Manager Report CMR-86-489. Uptown Community Area. District-2.)

COMMITTEE ACTION: Initiated by TLU on 10/13/86.

Recommendation to deny the appeal for an encroachment permit and adopt the City Manager's recommendation in CMR-86-489 to close the alley to vehicular access and maintain bicycles and pedestrian access. The Committee also directed staff to establish "No Parking" in the 20-foot paved east-west alley. Districts 6, 7 and 8 voted yea. Districts 1 and 4 not present.

CITY MANAGER REPORT: On July 16, 1986, Mrs. Sue A. Dowdy filed an encroachment application with the City Engineering Department, requesting authorization to construct two gates across the alley adjacent to her property at 1021 Johnson Avenue. Mrs. Dowdy's request to install the gates was denied on August 11, 1986. On September 8, 1986, Mrs. Dowdy appealed the City Engineer's denial to the Transportation and Land Use Committee. At the October 13, 1986, Transportation and Land Use Committee meeting, staff reported that the Council did have the authority to close the subject alley to vehicular traffic. Based on the traffic engineer's evaluation, staff recommended that the subject alley be closed as illustrated in the October 13, 1986, City Manager Report CMR-86-489. Residents affected by the proposed partial alley closing were notified of the October 13, 1986, Transportation and Land Use Committee meeting. At the closing of the hearing, the Transportation and Land Use Committee directed the City Manager to prepare a resolution for the Council's consideration to: 1) close the subject alley as proposed by staff; and 2) to either post "No Parking" signs or paint red stripes on the paved 20-foot alley in the block where the subject dirt alley is located.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-135: (R-87-840) ADOPTED AS RESOLUTION R-267286

Authorizing the expenditure of an amount not to exceed \$51,747 from Capital Outlay Fund 30245, Annual Allocation-New Development, CIP-58-001, to R. Kent and Robert Q. Sutherland, for the purpose of providing funds

for the construction of drainage from Costebelle Way to Pottery Canyon.

(Torrey Pines Community Area. District-1.)

CITY MANAGER REPORT: During the processing of the tentative map for the Starlight Subdivision, the proposed discharge of drainage from the end of Starlight Drive was shifted from Pottery Canyon to the end of Costebelle Way. This diversion of drainage was supported by the La Jolla Shores Planned District Board, who was concerned over slope stability in the canyon. The Engineering Department approved the drainage diversion as the magnitude of the anticipated flow was minimal. The final map and improvement agreement were approved in June 1978. During the course of construction of the subdivision improvements, property owners on Costebelle Way brought a communication to the Transportation and Land Use Committee expressing their concerns regarding the method proposed for resolving the drainage. The City Attorney's office had advised that the diversion of drainage should be eliminated before the subdivision is accepted. Following several meetings by the Committee regarding this issue, the Committee on June 10, 1979, approved the recommendation to negotiate with the developer to install additional drainage facilities conveying the water into Pottery Canyon. The revised drainage design required additional easements which took several years to negotiate. The construction is now completed and the total cost of these revisions is approximately \$125,000. Of these costs it is recommended that the City fund \$51,747 as its share of the improvements involved in remedying the diversion of drainage.

Aud. Cert. 8700385.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-136: (R-87-1144) ADOPTED AS RESOLUTION R-267287

Authorizing the execution of a first amendment to agreement with Boys' Club of San Diego, Inc., pursuant to which the City will contribute not to exceed \$60,000 towards the completion of Phases II and III of the gymnasium/locker room/facade improvements project

involving Boys' Club facilities at 6785 Imperial Avenue, and pursuant to which Boys' Club agrees to provide not less than \$40,000 toward the completion of said improvements and to contract for such work through the public bidding process; authorizing the expenditure of an amount not to exceed \$60,000 from CDBG Fund 18522, Dept. 5863, Org. 6315, to supplement Resolution R-260626, for the purpose of providing the City's contribution to the above described project.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT: Phase I of this CDBG project constructed a new gymnasium adjacent to the existing Boys' Club facility at 6785 Imperial Avenue. The site is easterly of the Encanto Neighborhood Park and is leased to the Boys' Club for this purpose. Phase II will provide a locker room, toilet room, and shower area while Phase III provides improvements to the existing Boys' Club building. It is necessary to amend the original agreement between the City and the Boys' Club to allow Boys' Club to use the balance of project funds for construction of Phase II and Phase III improvements. The amendment to the agreement will also require the Boys' Club to augment project funding as necessary to complete the improvements by July 1, 1987. Boys' Club has already contributed \$120,000 to the project in addition to all architectural services.

Aud. Cert. 8700478.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-137: (R-87-1005) ADOPTED AS RESOLUTION R-267288

Authorizing the execution of a ten-year lease agreement with CCA Silband Sports Corporation for the operation of the Balboa Park Municipal Golf Course Pro Shop, Driving Range and Golf Carts.

(See City Manager Report CMR-86-547. Greater Golden Hill Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 11/26/86.

Recommendation to approve the City Manager's recommendation.

Districts 1, 5 and 7 voted yea. District 6 not present.

FILE LOCATION: LEAS CCA Silband Sports Corporation

LEASFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-138: (R-87-1001) ADOPTED AS RESOLUTION R-267289

Authorizing the execution of a fifth amendment to lease agreement with Bartell Revocable Family Trust for the Dana Inn on Mission Bay, to increase various percentage rental rates and update all lease terms.

(See City Manager Report CMR-86-549. Mission Bay Community Area. District-6.)

COMMITTEE ACTION: Reviewed by PFR on 11/26/86.

Recommendation to approve the lease agreement. Districts 1, 5 and 7 voted yea. Districts 2 and 6 not present.

FILE LOCATION: LEAS Bartell Revocable Family Trust
LEASFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-139: (R-87-1075) ADOPTED AS RESOLUTION R-267290

Authorizing the execution of an agreement with Marum Associates for the design and construction of Cabrillo Heights Neighborhood Park Improvements; authorizing the expenditure of an amount not to exceed \$41,700 from CIP-29-558, Park Service District Funds, for the purpose of providing funds for the above project; authorizing the Auditor and Comptroller to transfer unexpended funds to the appropriate reserves upon the advice of the administering department.

(Serra Mesa Community Area. District-5.)

CITY MANAGER REPORT: This agreement will provide the professional services necessary for the design and construction of Cabrillo Heights Neighborhood Park Improvements, CIP-29-558. The approximate 14-acre park is located on Hurlbut Street west of Afton Road in the Serra Mesa Community. The improvements will complete the development of this park by providing two multi-use sports

fields, a second parking lot, a small turf area suitable for use as a T-ball field, and additional landscaping and irrigation, all in accordance with the approved General Development Plan for this park. Marum Associates was selected according to Council Policy 300-7, being advertised in the San Diego Daily Transcript on May 6, 1986. Fourteen responses were received by the Design Nominating Committee. Four firms were recommended to and interviewed by the Park and Recreation Department. Marum Associates is the recommended consultant for this project.

Aud. Cert. 8700465.

FILE LOCATION: MEET CCONFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-140: (R-87-1141) ADOPTED AS RESOLUTION R-267291

Authorizing the execution of an agreement with Nissan Motor Corporation to accept 19 Nissan motor vehicles for the use of the City of San Diego Lifeguards.
(See City Manager Report CMR-86-579. Torrey Pines, La Jolla, La Jolla Shores, Peninsula, Pacific Beach, Mission Beach and Ocean Beach Community Areas.
District-1, 2 and 6.)

FILE LOCATION: MEET CONFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-141: (R-87-1009) ADOPTED AS RESOLUTION R-267292

Authorizing the execution of an agreement with the County of San Diego to reconstitute the San Diego Energy Recovery (SANDER) Joint Powers Authority.
(See City Manager Report CMR-86-541.)

COMMITTEE ACTION: Reviewed by PSS on 11/19/86.

Recommendation to adopt the Resolution. Districts 1, 3, 4 and 7 voted yea. District 8 vacant.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-142: (R-87-1140) ADOPTED AS RESOLUTION R-267293

Concurring with the City Manager's action to terminate the existing agreement with Travelers Aid Society for the Helpline project; authorizing the execution of an agreement with United Way of San Diego County due for the provision of Infoline services; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$16,170 from Helpline project, Fund 19629, Dept. 8581, Job Order 000009, to Infoline project; authorizing the expenditure of an amount not to exceed \$16,170 from Infoline Project, for the purpose of providing funds for the above project.

(See City Manager Report CMR-86-543.)

COMMITTEE ACTION: Reviewed by PSS on 11/19/86.

Recommendation to adopt the Resolution. Districts 1, 3, 4 and 7 voted yea. District 8 vacant.

CITY MANAGER REPORT: On November 19, 1986 the Public Services and Safety Committee authorized the City Manager to negotiate a contract with United Way to provide telephone assistance to the homeless and others from 5:00 p.m. to midnight on weekdays, and 10:00 a.m. to midnight on weekends, from January 1, 1987 through June 30, 1987. This contractual relationship will replace the current agreement with Travelers Aid Society, who has been providing the above services. \$16,170 in unexpended funds from the City's agreement with Travelers Aid Society will be used to fund this project for the remainder of this year. Both the Travelers Aid Society and United Way concur in this action. Aud. Cert. 8700479.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-150: (R-87-1168) ADOPTED AS RESOLUTION R-267294

Incorporating into Council Policy 000-27 the provisions

of Administrative Regulations 90.30 regarding "Out of Town Travel Procedures" and 95.40 regarding "In Town Reimbursable Expense", as amended and effective October 20, 1986.

(See memorandum from the City Manager dated 11/14/86.)

COMMITTEE ACTION: Reviewed by RULES on 11/17/86.

Recommendation to adopt a Resolution directing that these Administrative Regulations apply to the City Council as well.

Districts 3, 5 and Mayor voted yea. District 2 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A605-607.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-151: (R-87-1164) ADOPTED AS RESOLUTION R-267295

Accepting the recommendations of the Transportation and Land Use Committee contained within the document entitled "Recommendations of Councilmember Wolfsheimer re Request for Residential Building Moratorium by Rancho Penasquitos Planning Board and Town Council"; directing the City Manager and Planning Director to perform the tasks contained in said document; in the event the tasks listed in said document are not completed within four months from the date on which this resolution is adopted, the City Attorney is directed to bring before the City Council a building limitation ordinance to be applicable within the Rancho Penasquitos Community Plan area for a period not to exceed six months.

(See City Manager Report CMR-86-502; "Recommendations of Councilmember Wolfsheimer" dated 11/24/86; memorandum from Councilmember Wolfsheimer to TLU dated 11/20/86 regarding a "Proposal for a "Phased Growth Addendum".)

COMMITTEE ACTION: Initiated by TLU on 11/24/86. Recommendation to approve a building moratorium in four months if tasks are not accomplished as described in a memo dated November 24, 1986 on the subject of a request for a building moratorium in Penasquitos. Districts 1, 4, 6 and 7 voted yea. District 8 not present.

CITY MANAGER REPORT: The Transportation and Land Use Committee considered a request by the Rancho Penasquitos Planning Board and the Town Council to establish a building moratorium due to a lack of public facilities. The Committee

voted to approve the recommendations as outlined in Council Member Wolfsheimer's memorandum, including a provision that in the event the tasks are not completed within four months a building moratorium should be imposed for six months; and further requested that when the matter is scheduled at the Committee's first meeting in January 1987 the report includes:

a) Exploration of funding sources including developer participation in accelerating circulation projects in Rancho Penasquitos, b) List of Capital Improvement Projects and assigned priorities, c) Status of proposed residential developments, and d) Discussion of Regional Growth Management.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C100-D119.)

MOTION BY WOLFSHEIMER TO ADOPT STAFF RECOMMENDATIONS WHICH ARE:

1) DIRECT THE CITY MANAGER AND PLANNING DEPARTMENT TO BRING ALL FACILITIES IN RANCHO PENASQUITOS INTO CONFORMANCE WITH ITS COMMUNITY PLAN, WITH GENERAL PLAN STANDARDS AND WITH COUNCIL POLICY 600-10; 2) DIRECT THE CITY MANAGER AND PLANNING DEPARTMENT TO ESTABLISH AN ACCELERATED SCHEDULE FOR THE COMPLETION OF SUCH FACILITIES; 3) DIRECT THE CITY MANAGER, IF THE COMMUNITY SO REQUESTS, TO PROVIDE A FORUM FOR THE PRESENTATION OF INFORMATION COMPILED BY THE COMMUNITY AND FOR THE ESTABLISHMENT OF THE SCHEDULE FOR COMPLETION OF NEEDED FACILITIES; 4) DIRECT THE CITY MANAGER TO INVESTIGATE AND ESTABLISH A FINANCING PLAN FOR THE FUNDING OF TRANSIT ROUTES WHICH ARE IMMEDIATELY NEEDED IN THE COMMUNITY; 5) DIRECT THE CITY MANAGER TO REPRIORITIZE THE FBA FOR RANCHO PENASQUITOS, INCREASING FEES AS NEEDED TO PROPERLY SERVICE THE COMMUNITY AND IN ADDITION, TO EXPLORE OTHER MECHANISMS FOR FINANCING COMMUNITY FACILITIES; 6) DIRECT THE PLANNING DEPARTMENT AND CITY MANAGER TO EXPLORE ALL SUBDIVISION MAP REQUIREMENTS AND CONDITIONS WHICH CAN BE IMPOSED ON TENTATIVE MAPS TO ALLEVIATE THE EXISTING AND ANTICIPATED FACILITY PROBLEMS OF THE COMMUNITY AND TO REPORT BACK WITH THEIR FINDINGS; 7) DIRECT THE PLANNING DEPARTMENT TO BEGIN COMPLIANCE WITH COUNCIL POLICY 600-10 BY CONDUCTING A FACT FINDING INVESTIGATION, PREPARING AN ANNUAL REPORT, AND SUBMITTING SUCH REPORT TO THE PLANNING COMMISSION AND CITY COUNCIL FOR NOTICED PUBLIC HEARINGS; 8) DIRECT THE CITY MANAGER TO APPROPRIATE FUNDS FOR ONE FULL-TIME STAFF POSITION TO BEGIN A COMPREHENSIVE REVIEW AND UPDATE OF THE COMMUNITY PLAN; 9) DIRECT THE PLANNING DEPARTMENT TO CONFER WITH DR. FREILICH AND THE CITY ATTORNEY IN EXPLORING THE FEASIBILITY OF ADOPTING COUNCIL MEMBER WOLFSHEIMER'S PHASED GROWTH ADDENDUM TO THE RANCHO PENASQUITOS

COMMUNITY PLAN; 10) DIRECT STAFF TO COMPLETE THE ABOVE-STATED TASKS WITHIN 4 MONTHS AND DIRECT THE CITY MANAGER TO ESTABLISH A SPECIFIC SCHEDULE FOR THE COMPLETION OF THESE TASKS WITHIN THIS FOUR MONTH PERIOD, SUBMIT THIS SCHEDULE WITHIN 30 DAYS AND MAKE PROGRESS REPORTS TO THE TRANSPORTATION AND LAND USE COMMITTEE ON

A MONTHLY BASIS; 11) DIRECT THE CITY ATTORNEY TO PREPARE A RESOLUTION FOR CITY COUNCIL WITH REGARD TO THE PRECEDING DIRECTIONS AND TO INCLUDE IN SUCH RESOLUTION A PROVISION STATING THAT IF ANY OF THE TASKS DO NOT MEET THEIR INDIVIDUALLY SCHEDULED DEADLINES, AN IMMEDIATE BAN WILL BE PLACED ON THE ISSUANCE OF RESIDENTIAL BUILDING PERMITS IN RANCHO PENASQUITOS FOR A PERIOD NOT TO EXCEED 6 MONTHS; AND 12) REQUEST THE RULES COMMITTEE TO REVIEW THE CITY'S "PAY AS YOU GROW" POLICY, ESPECIALLY AS IT RELATES TO PLANNED URBANIZING AREAS. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-nay, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-152: (R-87-1163 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-267296

19861215

Directing the Subdivision Board when reviewing tentative subdivision maps within the Rancho Bernardo Community Plan to provide that the effective date of approval of a tentative map shall be the date of approval by the City Council of the updated Rancho Bernardo Community Plan which is presently in the Planning Department work program; directing the City Manager to review the Rancho Bernardo Financing Plan; directing the Planning Director to return at the first meeting in January, 1987 with the following information: a) The number of project dwelling units and their status and the recommendations by the Planning Board; and b) A list of plan amendments and the recommendations of the Planning Board.

(See City Manager Report CMR-86-598. Rancho Bernardo Community Area. District-1.)

COMMITTEE ACTION: Initiated by TLU on 11/24/86. Recommendation to approve a Resolution which would add a condition to tentative maps in Rancho Bernardo that would require the Community Plan to be updated prior to approval. Districts 1, 4 and 6 voted yea. District 7 voted nay.

CITY MANAGER REPORT: The Transportation and Land Use Committee considered a request by the Rancho Bernardo Community

to establish a building moratorium. The Committee voted to recommend that approval of tentative maps at the Subdivision Board level be conditioned upon completion of the update of the Rancho Bernardo Community Plan and directed the City Manager to review the Rancho Bernardo Financing Plan and directed the Planning Director to return at the first meeting in January 1987 with the following information: a) Number of projected dwelling units and their status and the recommendation by the Planning Board; b) list of plan amendments and the recommendation of the Planning Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D120-E088.)

MOTION BY WOLFSHEIMER TO ADOPT TRANSPORTATION AND LAND USE COMMITTEE RECOMMENDATIONS AND ADD THE WORDING "AND THE PLANNING

COMMISSION" TO THE RESOLUTION. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-nay, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-nay, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-153: (R-87-1011) ADOPTED AS RESOLUTION R-267297

Establishing an 11-member Ad Hoc Task Force on Urban Open Space, pursuant to the provision of Section 43(b) of the City Charter, to study and make recommendations with regard to the preservation of urban open space, addressing specifically those issues set forth in City Manager Report CMR-86-441, dated September 19, 1986; declaring that the Task Force shall consist of one appointee each of the Mayor, each Councilmember, the Sierra Club, and the Chamber of Commerce; declaring that the Mayor shall designate the Chairperson and Vice-Chairperson of the Task Force.

(See City Manger Report CMR-86-441.)

COMMITTEE ACTION: Reviewed by PFR on 11/24/86. Recommendation to create an Ad Hoc Task Force on Urban Open Space. Districts 1, 2, 6 and 7 voted yea. District 5 not present.

CITY MANAGER REPORT: On September 24, 1986, the Public Facilities and Recreation Committee approved the recommendations presented in City Manager Report CMR-86-441. Additionally, the Committee recommended that the Ad Hoc Task Force be reviewed and approved by the City Council by resolution with defined authority and responsibilities.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A608-611.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the

following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-200: (O-87-95 Rev.3) TRAILED TO TUESDAY, DECEMBER 16,
1986, AT 9:30 A.M. TIME CERTAIN

Amending Chapter X, Article 3, Division 11, of the San
Diego Municipal Code, by repealing Sections 103.1104.3 and
103.1106, by renumbering and amending Sections 103.1102,
103.1104, 103.1194.1, 103.1104.2, 103.1104.4, 103.1108,
103.1108.1, 103.1108.2, 103.1108.3, 103.1108.4, 103.1110 and
103.1112, and by adding Sections 103.1105 and 103.1106,
relating to the Otay Mesa Development District, to provide
a development permit procedure that will allow the majority
of proposed projects to be processed ministerially.

(Otay Mesa Community Area. District 8. Introduced on
11/3/86. Council voted 9-0. Reintroduced as amended on
11/24/86. Council voted 8-0. District 8 vacant.)

NOTE: Although this item was docketed for adoption on
11/24/86, according to the Attorney, Council's action on
that date was to reintroduce the Ordinance to incorporate
amendments requested by Council. Today's action is the
adoption of the amended Ordinance.

FILE LOCATION: LAND Otay Mesa Development District

COUNCIL ACTION: (Tape location: A300-329;A437-459.)

MOTION BY BALLESTEROS TO TRAIL TO TUESDAY, DECEMBER 16, 1986, AT
9:30 A.M. TIME CERTAIN. Second by Cleator. Passed by the
following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-201: (R-87-946 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-267298

19861215

(Continued from the meeting of November 24, 1986, Item 100,
at John Griffith's request, to allow Council to review the
information he presented and to get a report from staff.)

Awarding a contract to Marathon Construction Corporation in
the amount of \$1,070,000 for the construction of Tecolote
Canyon Erosion Control; authorizing the expenditure of an
amount not to exceed \$164,600 from CIP-11-050, Mission Bay
Water Quality to supplement funds previously authorized by
Resolution R-266303, adopted July 28, 1986, for providing

funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-22-050, Mission Bay Water Quality. (Clairemont Mesa and Linda Vista Community Areas. Districts-5 and 6.)

CITY MANAGER REPORT: This contract will perform erosion control work in Tecolote Canyon Natural Park in order to reduce sediment transported to Mission Bay via Tecolote Creek. City Council approved the project and authorized advertising for bids on July 28, 1986. Work will include cutting back steep channel and gully slopes and installing riprap and flexible concrete revetment on those slopes subject to stream flow. All graded slopes and hillsides will be revegetated with non-irrigated plants and seeds native to Tecolote Canyon Natural Park. Thirty-nine bid packages were issued and one bid was received. The bid is 40 percent above the consultant's estimate of \$765,320. The job is complicated by the 22 work sites being spread over eight different site groupings, each requiring a separate public street access. Many of the sites have difficult access through the park with the contractor being responsible for repair of damage. Such conditions often make contractors reluctant to bid, or if they do, increase their bid to cover unknown contingencies. Staff has reviewed the project and determined that a redesign and rebid would not produce significant contract savings.

FISCAL IMPACT: Additional funding for the project is available in CIP-22-050, Mission Bay Water Quality.

Aud. Cert. 8700435.

FILE LOCATION: CONT Marathon Construction Corporation
CONFY87-1

COUNCIL ACTION: (Tape location: E089-337.)

MOTION BY GOTCH TO REJECT THE PRESENT BID AND DIRECT STAFF TO WORK WITH THE SOIL CONSERVATION SERVICE, CITY ENGINEERING AND DEVELOPMENT DEPARTMENT, U.S. FISH AND WILDLIFE, AND OTHER INTERESTED PARTIES, TO EVALUATE THE FEASIBILITY OF USING THE WILLOW-REED GRAVEL AND RIPRAP METHOD OF EROSION CONTROL AND HABITAT ENHANCEMENT AT SITES 6, 8, 9, 30, 64 and 65 RESPECTIVELY, WITH INCORPORATION OF THOSE FINDINGS INTO A REDESIGN OF THE PROJECT. ALSO, DIRECT STAFF TO DETERMINE THE CREDIT THAT COULD BE GIVEN TO THE CITY FOR ESTABLISHING HABITAT FOR THE LEAST BELL'S VIREO, WITH INCORPORATION OF THE RESULTS INTO THE SANDAG PROGRAM AND APPLICATION OF THE CREDIT TOWARD THE INTERSTATE 52, PADRE DAM, AND PAMA DAM PROJECT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea,

Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,
McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-202: (R-87-1170) ADOPTED AS RESOLUTION R-267299

Approving the budget for Art in Public Places, as
recommended in the City Manager Report CMR-86-586, entitled
"Art in Public Places - Budget Recommendation".
(See City Manager Report CMR-86-586.)
Aud. Cert. 8700490.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A612-617.)

MOTION BY STRUIKSMA TO ADOPT. Second by Jones. Passed by the
following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-203: (R-87-1190) ADOPTED AS RESOLUTION R-267300

Adopting the schedule of meetings for the City Council and
Council Standing Committees for the period of January 1,
1987 through December 31, 1987.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A618-622.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the
following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-204: (R-87-1093) ADOPTED AS RESOLUTION R-267301

Council confirmation of the appointment by the Mayor of
Samuel Katz, to serve as a member of the Citizen's Advisory
Committee on Police/Community Relations representing the
Fifth Council District, for a term ending August 29, 1987,
to replace Dennis C. Hart, who has resigned.
(See memorandum from Mayor O'Connor dated 11/25/86.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the
following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

NOTE: At the request of Council Member Struiksma, this item was
to be included in the Consent Agenda vote.

ITEM-205: (R-87-1012) ADOPTED AS RESOLUTION R-267302

Acknowledging receipt of SB 201 Annual Reports from the San Ysidro, South Bay and Sweetwater School Districts, submitted pursuant to the requirements of Section 65978 of the California Government Code.

CITY MANAGER REPORT: State law requires that each school district which has been declared an Impacted Attendance Area under the Interim School Facilities Financing Law (SB 201) must submit to the local legislative body an annual report on two matters:

1. An accounting of the money allocated from developers during the previous fiscal year; and
2. An updating of statistics on the district's conditions of overcrowding. In the City of San Diego, the City Council has declared Impacted Attendance Areas and has set fees to be collected by three school districts, as follows:

District	Date of Council Action
San Ysidro School District	June 16, 1986
South Bay Union School District	June 16, 1986
Sweetwater Union High School District	June 9, 1986

These districts have submitted the required reports. The reports show that no district has yet collected developers' fees under the authority of SB 201; also, the conditions of overcrowding documented in the original submittals of these districts remain substantially unchanged. It should be noted that newer legislation for schools may impact the existing SB 201 regulations. As this impact becomes known, we will issue an information report.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A623-627.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-206: (R-87-847) ADOPTED AS RESOLUTION R-267303

Adopting the Southern California Water Policy, as adopted by the San Diego County Water Authority by Resolution No. 86-40.

CITY MANAGER REPORT: On August 14, 1986, the Public Information Committee of the San Diego County Water Authority (CWA) Board recommended that all CWA member agencies review and,

if possible, adopt without modification the attached Southern California Water Policy (SCWP). The SCWP was prepared with input from representatives of a number of Southern California water agencies, and its uniform adoption is intended to be a sign of solidarity among those agencies. On September 11, 1986, the CWA Board adopted the SCWP without modification. The content of the SCWP is in concert with City Council Policy 400-09, "Action Plan for City's Future Water Supply." While Council Policy 400-09 was specifically designed to address local San Diego water supply issues, the SCWP addresses issues as they apply to the entire Southern California area. Adoption of the SCWP will demonstrate the City's solidarity with other Southern California water agencies and the County Water Authority.
WU-U-87-063.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A628-631.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-207: (R-87-989) CONTINUED TO JANUARY 12, 1987

Authorizing the City Manager to amend the 1983 CDBG agreement between the City and the San Diego Housing Commission to include an additional \$60,000 for housing rehabilitation; authorizing the City Auditor and Comptroller to reallocate an amount not to exceed \$282,603 of 1980, 1982, 1983, and 1984 CDBG funds; authorizing the expenditure of an amount not to exceed \$22,917 for Sycamore East; \$45,807 for Sycamore West; and \$353,660 for Grove project sites from 1983 CDBG Site Acquisition funds.
(See Housing Commission Report HCR-86-012CC.)
Aud. Cert. 8700414.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A330-353;A501-607.)

MOTION BY BALLESTEROS TO CONTINUE TO JANUARY 12, 1987, IN ORDER TO HAVE THE OPPORTUNITY OF A BRIEFING FROM THE EXECUTIVE DIRECTOR OF THE HOUSING COMMISSION RE SITES THAT ARE IN DISTRICT 8. Second by Gotch. Passed by the following vote:
Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-ineligible, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-208: (R-87-1139) ADOPTED AS RESOLUTION R-267304

Approving the 1987 Housing Assistance Plan; authorizing the City Manager to submit the Plan to the United States Department of Housing and Urban Development (HUD) as part of the City of San Diego's 1987 Community Development Block Grant application.

(See Housing Commission Report HCR-86-018CC.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B020-026.)

MOTION BY BALLESTEROS TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-209: (O-87-126) FIRST PUBLIC HEARING HELD

First public hearing in the matter of:

Amending Ordinance No. O-16678 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1986-87 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-16678-1 and No. 00-16678-2, as amended and adopted therein, by transferring sales tax revenue in the amount of \$140,716 from CIP-52-285 (Street, Alley, and Sidewalk Improvements in CDBG Areas) to the General Fund 100 for the Property Department; transferring \$110,000 from the Mid-City Facade Improvement Rebate Program, and \$30,716 from the Enterprise Zone Program to CIP-52-285 for purposes of street, alley and sidewalk improvements in CDBG areas.

(Mid-City, Southeast San Diego, Barrio Logan and Centre City Community Areas. Districts-3, 4 and 8.)

CITY MANAGER REPORT: In previous actions, the City Council has allocated Community Development Block Grant Funds for the Mid-City Facade Improvement Rebate Program and the Southeast/Barrio Logan Enterprise Zone Program. Both of these programs contain provisions for reimbursing business or property owners for certain costs involved in improving or developing their property. The Council has also allocated sales tax revenues to the Capital Outlay Fund for improving streets, alleys, and sidewalks in CDBG eligible areas. The City has encountered difficulties in finding merchants willing to take advantage of the facade improvement rebates because of administrative burdens which impose increased costs on the merchants' projects. The fee reimbursements which are a part of the City's Enterprise Zone incentives are also affected by these

administrative requirements. In many cases, the costs imposed by these requirements exceeds the financial incentives being offered. This ordinance would withdraw use of CDBG funds for rebate or reimbursement programs and instead place those funds into CIP-52-285 (Street, Alley, and Sidewalk Improvements in CDBG Areas). Thus, there is no net reduction in the use of CDBG money for CDBG projects. The City will use its sales tax revenues to accomplish the Mid-City Facade improvement and Enterprise Zone fee reimbursement goals.

Aud. Cert. 8700449.

NOTE: See Item 339 on the Docket of Tuesday, December 16, 1986 for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B027-035.)

MOTION BY McCOLL TO HOLD THE FIRST PUBLIC HEARING. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-210: (O-87-125) FIRST PUBLIC HEARING HELD

First public hearing in the matter of:

Amending Ordinance O-16678 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1986-87 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16678-1, as amended and adopted therein, by amending the personnel authorization of the Fire Department (120), in General Fund 100, by adding one Fire Shift Commander position and deleting 1 Fire Battalion Chief position in the Fire Operations Program (12040); exempting said Fire Shift Commander Position from the Classified Service; and establishing a salary rate therefor.

CITY MANAGER REPORT: In November, 1979, the voters approved an amendment to Charter 117 to allow for additional positions in the unclassified service. This Charter Section now reads, "The unclassified service shall include: Managerial employees having significant responsibilities for formulating or administering departmental policies and programs. Each such position shall be exempted from the Classified Service by ordinance, upon the initiation of the appropriate authority and after receiving the advisory review and comment of the Civil Service Commission and the approval of the City Council." The position proposed for the Unclassified Service is that of one Fire Shift Commander, to

replace one Fire Battalion Chief position in the Classified Service. This restructuring of duties will create a fourth Shift Commander. Due to the emergency response requirements of this position whenever one of the current three shift commanders is on leave the position is filled through out-of-class assignments. A lack of administrative continuity has developed at this unclassified position because of constantly rotating persons. This new position will fill the relief needs and be available to the Fire Chief for other non-emergency managerial and special project assignments. These duties and responsibilities are comparable to those of the other three Shift Commanders positions, which have been placed in the Unclassified Service. The request to remove this position from the Classified Service was made by the Fire Chief through the City Manager's Office on September 24, 1986. It was favorably reviewed by the Civil Service Commission on November 6, 1986. NOTE: See Item 340 on the Docket of Tuesday, December 16, 1986 for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B036-039.)

MOTION BY STRUIKSMA TO HOLD THE FIRST PUBLIC HEARING. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-211:

Two actions relative to a condemnation action to acquire off-site drainage easements for Britannia Commerce Center (TM-84-0843):
(See City Manager Report CMR-86-576. Otay Mesa Community Area. District-8.)

19861215

Subitem-A: (R-87-1055 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-267305

FINDINGS MUST BE MADE AS A PART OF COUNCIL ADOPTION

Determining and declaring that the public interest, convenience and necessity of the City of San Diego requires the construction, reconstruction, maintenance, operation and repair of a drain or drains including any and all appurtenances thereto, together with the right of ingress and egress, over, under, along and across that portion of Lots 3, 6 and 7 in fractional Section 3, Township 19 South, Range 1 West, S.B.B.M, and that the public interest,

convenience and necessity demand the acquisition of said property interests for said drain or drains and any and all appurtenances thereto; declaring the intention of the City to acquire said property under eminent domain proceedings; directing the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning and acquiring said property.

Subitem-B: (R-87-1051) FILED

Certifying that Environmental Negative Declaration END-84-0843, issued in connection with a condemnation action to acquire off-site drainage easements for Britannia Commerce Center, TM-84-0843, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State Guidelines thereto, and that said Declaration has been reviewed and considered by the Council.

FILE LOCATION: SUBD Britannia Commerce Center

COUNCIL ACTION: (Tape location: E501-F490.)

Hearing began at 5:42 p.m. and halted at 6:26 p.m.

Council Member Cleator left at 5:42 p.m.

Council Members Wolfsheimer and Struiksma left at 5:43 p.m.

Council Member Wolfsheimer entered at 5:46 p.m.

Council Member Struiksma entered at 5:58 p.m.

Testimony in favor by Rebecca Michaels.

Testimony in opposition by Stanley Prowse, Eric Klack, Peter Pountney, and Byron P. Halling.

Motion by Ballesteros to deny condemnation. Second by McCarty.

Motion withdrawn.

Motion by Wolfsheimer to extend time of meeting to 7:00 p.m.

Second by Ballesteros. Passed by the following vote:

Yeas-1,3,4,5,6,7,8. Nays-none. Not present-2,M.

MOTION BY STRUIKSMA TO ADOPT THE ALTERNATIVE THAT ALLOWS HALL PROPERTIES TO TAKE CARE OF THE WATER ON THEIR PROPERTY BY USING A TEMPORARY PUMPING FACILITY. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-212:

Two actions relative to a condemnation action to acquire an off-site water main easement for Carmel Valley Village (TM-83-0096):
(See City Manager Report CMR-86-578. North City West

Community Area. District-1.)

Subitem-A: (R-87-1050) ADOPTED AS RESOLUTION R-267307
FINDINGS MUST BE MADE AS PART OF COUNCIL ADOPTION
Determining and declaring that the public interest, convenience and necessity of the City of San Diego require the construction, operation and maintenance of an off-site water main and all appurtenances thereto, to serve designated portions of Carmel Valley Village within the corporate limits of San Diego, across portions of lands within the City of San Diego, as follows: Parcels 1 and 11 of Parcel Map PM-14460; the sidelines of said 10 foot water line easement to be shortened or lengthened to terminate at the northwesterly right-of-way line of Carmel Valley Road as shown on Road Survey No. 758 and that the City Council has so found and determined; and that the public interest, convenience and necessity demand the acquisition of easements, and temporary working strips in said property for appurtenances thereto; declaring the intention of the City of San Diego to acquire said property interests under eminent domain proceedings; directing the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning and acquiring said property.

Subitem-B: (R-87-1052) ADOPTED AS RESOLUTION R-267308
Certifying that the information contained in Environmental Impact Report EIR-81-1212, issued in connection with a condemnation action to acquire an off-site water main easement for Carmel Valley Village, TM-83-0096, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said report has been reviewed and considered by the Council.
WU-PR-87-073.

FILE LOCATION: SUBD Carmel Valley Village

COUNCIL ACTION: (Tape location: B040-054.)

Hearing began at 2:49 p.m. and halted at 2:52 p.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S400: (R-87-1221) ADOPTED AS RESOLUTION R-267309

Congratulating Reverend George Walker Smith and Elizabeth Irene Hightower Smith on the celebration of their 30th anniversary in the ministry in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A013-048.)

MOTION BY JONES TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

* ITEM-S401: (R-87-1172) ADOPTED AS RESOLUTION R-267310

Authorizing the purchase of additional miscellaneous furnishings from Southwest Business Interiors, previously authorized by Resolution R-266340, adopted August 4, 1986, for an actual cost of \$356,044.82, including tax and terms. (BID-7231)

CITY MANAGER REPORT: Several months ago the City Council passed a resolution accepting bids and authorizing contracts for the purchase of miscellaneous furnishings for the Police Headquarters building with an option to purchase additional furnishings within a six month period. The original estimate of the cost of furnishings considerably exceeded the amount budgeted and the amount of furniture specified was cut back, particularly in the area of office partitions. The price bid for the furniture turned out to be considerably lower than the estimate. This action would exercise the option created in the initial resolution, thus allowing the Police Department to purchase the furniture items deleted from the first order. In addition, furniture would be purchased for new positions created by Council since the original bid document was constructed. It should be noted that by exercising this option, the furniture will be purchased at prices that are substantially below the prices normally paid by the City (over 60 percent discount versus 40 percent discount). However, the major supplier has only agreed to hold the original bid price for this one order and in no case later than December 31, 1986. Funds for this purchase will not exceed the original budgeted amount. Aud. Cert. 8700496.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-S402:

Four actions relative to the final subdivision map of Alta Del Mar P.R.D. Unit No. 1, a 23-lot subdivision located northeasterly of San Andres Drive and Via de la Valle: (Via de la Valle Specific Plan Community Area. District-1.)

Subitem-A: (R-87-1039) ADOPTED AS RESOLUTION R-267311

Authorizing the execution of a subdivision improvement agreement with Alta Del Mar Development, Inc. for the installation and completion of public improvements.

Subitem-B: (R-87-1038) ADOPTED AS RESOLUTION R-267312

Approving the final map.

Subitem-C: (R-87-1197) ADOPTED AS RESOLUTION R-267313

Authorizing the execution of an agreement with Alta Del Mar Development, Inc. for the payment of fees for public facilities.

Subitem-D: (R-87-1040) ADOPTED AS RESOLUTION R-267314

Authorizing the execution of an agreement with Alta Del Mar Development, Inc. for the construction of a water line.

CITY MANAGER REPORT: The Alta Del Mar P.R.D. Unit No. 1 subdivision will temporarily be supplied by Santa Fe Irrigation District water. The agreement being entered into obligates Alta Del Mar Development, Inc. to undertake construction of a 10-inch off-site water main, if this main is not installed by others prior to June 30, 1992. Alta Del Mar Development, Inc. will also be obligated to construct the off-site main when Santa Fe Irrigation District notifies the City of its intent to terminate the water agreement. To secure its obligation, Alta Del Mar Development, Inc. has posted security in the amount of \$65,976.47.

WU-M-87-086.

FILE LOCATION: SUBD Alta Del Mar P.R.D. Unit No. 1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-S403:

Seven actions relative to the final subdivision map of Mira

Este Business Park, a 17-lot subdivision located northerly of Miramar Road:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-87-1082) ADOPTED AS RESOLUTION R-267315
Authorizing the execution of a subdivision improvement agreement with CMZ Investments, Ltd. for the installation and completion of public improvements.

Subitem-B: (R-87-1081) ADOPTED AS RESOLUTION R-267316
Approving the final map.

Subitem-C: (R-87-1083) ADOPTED AS RESOLUTION R-267317
Authorizing the execution of an agreement with CMZ Investments, Ltd. for financing of public facilities.

Subitem-D: (R-87-1084) ADOPTED AS RESOLUTION R-267318
Authorizing the execution of an agreement with CMZ Investments, Ltd., for reimbursement of costs to cover installation of a traffic signal at Dowdy Drive and Miramar Road; authorizing the expenditure of \$31,500 out of Fund 63021 for providing funds for the above purpose.

Subitem-E: (R-87-1085) ADOPTED AS RESOLUTION R-267319
Authorizing the execution of an agreement with Atchison, Topeka and Santa Fe Railway Company, for the construction and maintenance of a railroad crossing at Dowdy Drive; authorizing the City Auditor and Comptroller to transfer \$60,000 from Fund 79006, Mira Mesa FBA, to CIP-58-004; authorizing the expenditure of \$120,000 out of CIP-58-004, \$60,000 out of Fund 79006 and \$60,000 from Fund 30245 for the purpose of providing \$101,157 for the above project and \$18,843 for rubberized crossing material and contingencies.

Subitem-F: (R-87-1209) ADOPTED AS RESOLUTION R-267320
Approving the acceptance by the City Manager of those deeds of Alfred M. Lewis Properties, Inc. and of CMZ Investments, Ltd. conveying to City drainage easements in Parcel 1 of Parcel Map PM-12499, Parcel 3 of Parcel Map PM-13904 and Parcel 2 of Parcel Map PM-14370; authorizing a quitclaim deed, quitclaiming to CMZ Investments, Ltd., all of the City's right, title and interest in the above drainage easements.

Subitem-G: (R-87-1210) ADOPTED AS RESOLUTION R-267321

Approving the acceptance of that street reservation in Parcel 3 of Parcel Map PM-14275; dedicating as and for a public street, and naming the same Silverton Avenue.

CITY MANAGER REPORT: As a condition of final map approval, three agreements must be entered into. One agreement is between the City and CMZ Investments, Ltd. which will provide for financing of public facilities for the Mira Mesa Community Plan. There is no cost to the City as a result of this agreement. A reimbursement agreement must be entered into between the City and CMZ Investments, Ltd. for construction of a traffic signal at the intersection of Dowdy Drive and Miramar Road. This agreement will reimburse the developer \$31,500, which has already been contributed to the City by the developer (KLH Miramar Assoc.) of Koll Business Center/Miramar Point, Map-11161. The developer of Mira Este has posted a bond for the remaining amount of \$51,440. There is no cost to the City as a result of this agreement.

A cost and maintenance agreement must be entered into between the City and the Atchison, Topeka and Santa Fe Railway Company, for construction and maintenance of an at-grade crossing, safety gates and warning system, necessary to accomplish the extension of Dowdy Drive. By virtue of this agreement, the railroad company will construct and provide maintenance of the crossing at an estimated cost of \$101,157. The City will purchase the material for rubberized crossing in accordance with the agreement and the usual procedure with the railway company.

Aud. Cert. 8700492.

FILE LOCATION:

Subitems A, B, C, D, E, and G SUBD Mira Este
Business Park;

Subitem F DEED F-3687

DEEDFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-S404:

Five actions relative to the final subdivision map of the Resubdivision of Tennis Ranch Unit 7, a 42-lot subdivision located southeasterly of Pomerado Road and Escala Drive:

(Rancho Bernardo Community Area. District-1.)

Subitem-A: (R-87-1146) ADOPTED AS RESOLUTION R-267322
Authorizing the execution of a subdivision improvement agreement with R. B. McComic, Inc. for the installation and completion of public improvements.

Subitem-B: (R-87-1145) ADOPTED AS RESOLUTION R-267323
Approving the final map.

Subitem-C: (R-87-1149) ADOPTED AS RESOLUTION R-267324
Authorizing the execution of an agreement with R. B. McComic, Inc. for the payment of fees to provide for public facilities.

Subitem-D: (R-87-1150) ADOPTED AS RESOLUTION R-267325
Authorizing the execution of an agreement with R. B. McComic, Inc. for landscape and irrigation maintenance.

Subitem-E: (R-87-1147) ADOPTED AS RESOLUTION R-267326
Authorizing the execution of an agreement with R. B. McComic, Inc. for the construction of drainage facilities; authorizing the City Auditor and Comptroller to transfer \$22,705 from CIP-18-001, Annual Allocation-Cooperative Storm Drain Projects, to CIP-18-001, New Development Capital Outlay Fund 30245, for the purpose of providing funds for the above project.

CITY MANAGER REPORT: In addition to the usual resolution associated with the approval of a final map is a resolution approving a participation agreement. There is a drainage problem approximately 1,000 feet northerly from the intersection of Pomerado Road and Escala Drive in Tennis Ranch Unit 1, a subdivision that was accepted sometime ago. Predevelopment topography indicates that all surface drainage at the easterly side of the intersection should drain in a southerly direction. However, the "As-Built" construction plans indicate that the surface drainage has been directed northerly. This problem can be eliminated by constructing a curb inlet at the northeast corner of the intersection. Because Tennis Ranch Unit 1 has already been accepted, the developer cannot be pursued for this work. R. B. McComic, the developer of Tennis Ranch Unit 7, which is located at the southeast corner of the intersection, is required to construct an off-site drainage system. It is recommended that the City enter into a participation agreement

in an amount of \$22,705 to cover the cost of the improvement of the off-site drainage system.

Aud. Cert. 8700489.

FILE LOCATION: SUBD Resubdivision of Tennis Ranch Unit 7

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-S405: (R-87-1167) ADOPTED AS RESOLUTION R-267327

Approving the amendments to the bylaws of the University Community Planning Group.

(See Planning Department Report PDR-86-640.)

COMMITTEE ACTION: Reviewed by RULES on 11/17/86.

Recommendation to approve the recommendation of the Planning Department to amend the University Community Planning Group bylaws. Districts 3, 5 and Mayor voted yea. District 2 not present. District 8 vacant.

FILE LOCATION: GEN'L Community Planning Committees

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-S406: (R-87-1023) ADOPTED AS RESOLUTION R-267328

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$3,500 from Open Space Bond Fund No. 79104, for the purpose of the appraisal of a 0.17 acre parcel in Banker's Hill Canyon for open space acquisition. (See City Manager Report CMR-86-566. Uptown Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 12/10/86. Recommendation to approve the City Manager's report. Districts 2, 3, 7 and 8 voted yea. District 5 not present.

Aud. Cert. 8700440.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-S407: (R-87-1219) ADOPTED AS RESOLUTION R-267329

Authorizing the execution of a fourth amendment to the lease agreement with TMY Farms, Inc. for property in San Pasqual Valley, reclassifying the land and adjusting the rent accordingly.

(See City Manager Report CMR-86-590. San Pasqual Valley Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 12/10/86. Recommendation to approve the amendment of TMY Lease. Districts 2, 3, 5, 7 and 8 voted yea.

FILE LOCATION: LEAS TMY Farms, Inc. LEASFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-S408:

Five actions relative to the land exchange with Witman Ranch, Inc.:

(See City Manager Report CMR-86-584. San Pasqual Valley Community Area. District-1.)

Subitem-A: (R-87-1207 Rev.1) ADOPTED AS RESOLUTION R-267330

Authorizing the execution of a second amendment to the lease agreement with Witman Ranch; authorizing the execution of lease agreements with Witman Ranch for 507 acres for growing crops, 30 acres for growing citrus trees, and 25 acres for growing citrus trees.

Subitem-B: (R-87-1236) ADOPTED AS RESOLUTION R-267331

Authorizing the execution of a first amendment to lease agreement with Sloop and Witman, Document No. 713434; authorizing the execution of a second amendment to lease agreement with Sloop and Witman, Document No. 721611; authorizing the execution of a third amendment to lease agreement with Sloop and Witman, Document No. 694595.

Subitem-C: (R-87-1237) ADOPTED AS RESOLUTION R-267332

Authorizing the execution of a fourth amendment to the lease agreement with Rancho De La Loma.

Subitem-D: (R-87-1238) ADOPTED AS RESOLUTION R-267333
Authorizing the execution of a first amendment to lease
agreement with San Pasqual Academy.

Subitem-E: (R-87-1239) ADOPTED AS RESOLUTION R-267334
Authorizing the execution of a lease agreement with Charles
T. Jancic for 222 acres for operating a wholesale nursery.

COMMITTEE ACTION: Reviewed by PFR on 12/10/86. Recommendation
of approve the land exchange with Witman Ranch, Inc. Districts
2, 3, 5, 7 and 8 voted yea.

FILE LOCATION:

Subitem A LEAS Witman Ranch, Inc.;

Subitem B
LEAS Sloop and Witman;

Subitem C LEAS Rancho
De La Loma;

Subitem D LEAS San Pasqual
Academy;

Subitem E LEAS Charles Jancic
LEASFY87-5

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by
the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S409: (R-87-1101) ADOPTED AS RESOLUTION R-267335

(Continued from the meeting of December 8, 1986, Item 154,
at Councilmember Jones' request, to allow the City Manager
to answer questions and to allow time for Councilmember
Ballesteros to review the matter.)

Authorizing the City Manager to submit to the U.S.
Department of Housing and Urban Development the required
Statement of Objectives and Projected Use of 1987 CDBG
funds in the amount of \$11,500,000 including appropriate
Certifications and Assurances.

(See memorandum from the Committee Consultant dated
12/1/86; Committee Consultant Analysis PSS-86-17; City
Manager Reports CMR-86-525, CMR-86-568.)

COMMITTEE ACTION: Reviewed by PSS on 11/5/86. Recommendation to adopt the Resolution. Districts 1, 3, 7 and 8 voted yea. District 4 not present. District 3 abstained on Project No. 36 resulting in a 3-0 vote on that project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F491-G037.)

MOTION BY BALLESTEROS TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-S410: (O-87-132) TRAILED TO TUESDAY, DECEMBER 16, 1986,
AT 9:30 A.M. TIME CERTAIN

Introduction and adoption of an Emergency Ordinance imposing a temporary prohibition of the filing of tentative subdivision maps in the Otay Mesa Community Area.
(Otay Mesa Community Area. District-8.)

FILE LOCATION: LAND Otay Mesa Community Plan

COUNCIL ACTION: (Tape location: A354-436.)

MOTION BY BALLESTEROS TO CONTINUE TO TUESDAY, DECEMBER 16, 1986, AT 9:30 A.M. TIME CERTAIN. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S411: (R-87-1240) ADOPTED AS RESOLUTION R-267336

Authorizing the transfer of funds and increasing the authorization for expenditure of funds to construct the Linda Vista Branch Library; accepting the low bid of Kvaas Construction Co., Inc.; authorizing the execution of a contract for the construction of Linda Vista Branch Library in the amount of \$1,557,000, including the base bid and additive alternates 3 and 4.
(Linda Vista Community Area. District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

NOTE: At the request of Council Member Struiksma, this item was to be included in the Consent Agenda vote.

ITEM-S412: (R-87-1212) ADOPTED AS RESOLUTION R-267337

Authorizing the Auditor and Comptroller to increase the budget for Certified Development Corporation (CDC) from \$218,000 to \$245,000; authorizing the Auditor and Comptroller to transfer an amount not to exceed \$27,000 from Fund 18502 (Program Income) to Fund 18519, Dept. 5835, Org. 3507; authorizing the expenditure of an amount not to exceed \$27,000 from Fund 18519, Dept. 5835, Org. 3507 for the purpose of providing funds for the above project.

CITY MANAGER REPORT: On June 30, 1986, City Council adopted Resolution R-266119, which authorized the City Manager to enter into an agreement with the San Diego Certified Development Corporation (CDC). The agreement was to cover the period from July 1, 1986 to December 31, 1986, and was to be funded by program income from the CDC. The budget attached to the agreement totalled \$218,000, which was the then estimated amount of all funds expected to be available to the CDC. The budget was adjusted down by \$10,000 to cover the cost of the annual audit of the CDC and the cost of a third party monitor. The budget included an "incentive" item, which was established due to personnel contracts with CDC loan packagers. It called for incentives to be paid by formula to the packager based upon loan production. Loan production exceeded expectations and created \$98,000 more in program income than expected. The increased production also increased the amount needed to pay earned incentives. The shortfall to the expected CDC expenses, based upon the above, is \$27,000, \$19,000 of which is needed for personnel costs. Increasing the CDC budget by \$27,000 is therefore necessary to enable the CDC to operate through December 1986. The CDC budget for 1987 is being addressed as a separate docket item.

Aud. Cert. 8700500.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B055-060.)

MOTION BY STRUIKSMA TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S413: (R-87-1213) ADOPTED AS RESOLUTION R-267338

Authorizing the execution of an agreement with Certified Development Corporation (CDC) for professional, financial and management services for the period beginning January 1,

1987 through December 31, 1987; authorizing the City Auditor and Comptroller to expend an amount not to exceed \$430,000 from Fund 18523, for the purpose of the execution of the agreement and related costs; authorizing the expenditure of an amount not to exceed \$10,620 to supplement funds previously authorized in Resolution RR-266800, for the purpose of payment of monitoring services of George A. Peterson and Company.

CITY MANAGER REPORT: The San Diego County Certified Development Corporation (CDC) is a Community Development Block Grant (CDBG) activity which provides professional, financial and management services to small businesses in San Diego. The CDC was incorporated as a nonprofit corporation in 1978 to promote economic development in San Diego through a cooperative effort between government and the private sector. It is the only certified development corporation in the County and one of approximately 500 in the nation. Loan packaging assistance is the primary service, although management and advisory services are provided. Services are provided throughout San Diego with particular emphasis on low-and moderate-income areas as defined by the CDBG program. The CDC works with four basic SBA loan programs.

SBA Section 7A - Short-term financing for operating capital of small businesses located throughout the City of San Diego, emphasizing employment of low/moderate income residents of the City.

SBA 502/503/504 - Long-term financing for plant acquisition, construction, conversion or expansion of small businesses.

The CDC agreement and these actions reflect the CDBG allocation already made by the City Council and takes into account the need to closely monitor the program. The agreement further reflects the PS&S Committee direction to insure that program income flows back to the City for future allocation by the City Council.

Included with this section is the continuation of outside program monitoring at a cost of \$10,620. The remaining \$9,380 of the \$450,000 project cost is being reserved for the cost of the annual audit.

Aud. Cert. 8700497.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G038-044.)

MOTION BY GOTCH TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-S414: (R-87-1020) ADOPTED AS RESOLUTION R-267339

(Continued from the meeting of December 8, 1986, Item 142, to the meeting of January 12, 1987; Reconsidered at the meeting of December 9, 1986, and continued to today's meeting, at Councilmember Wolfsheimer's request, because the tentative map will expire if the item is taken on January 12, 1987.)

Authorizing the execution of a second addendum to the agreement with Santa Fe Irrigation District to exercise Paragraph 2 of the agreement and for two interconnections in Vista De La Tierra and El Camino Real.

(San Dieguito River Basin Community Area. District-1.)

CITY MANAGER REPORT: Paragraph 2 of the agreement between the City and Santa Fe Irrigation District provides that by addenda the parties may provide for construction and use of other interconnections between the water system of the City and the district. Presently there are two interconnections between the City and the district water systems. This addendum is to provide for two additional interconnections, an 8-inch meter at El Camino Real and a 6-inch meter at Vista de La Tierra. The district will own all facilities within their boundaries and the meters and vaults. The City's ownership shall start with the connection on the City's side of the meter vault.

WU-U-87-058.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B061-065.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S415: (R-87-1193) ADOPTED AS RESOLUTION R-267340

Approving the Fiscal Year 1986 Annual Report of the Redevelopment Agency of the City of San Diego pursuant to Division 24, part 1, of the State Health and Safety Code. (See Report from Redevelopment Agency dated 12/9/86.)

NOTE: See the Redevelopment Agency Agenda of December 15, 1986 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B066-069.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,

Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S416: (R-87-1220) ADOPTED AS RESOLUTION R-267341

Authorizing the execution of an agreement with the United States of America, acting through the International Boundary and Water Commission, for a one-year extension of use of the Tijuana Emergency Sewer Connection for conveyance, treatment and disposal of Tijuana sewage by the San Diego Metropolitan Sewerage System.

(See City Manager Report CMR-86-596. Southeast San Diego and San Ysidro Community Areas. District-8.)

WU-U-87-076.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B070-075.)

MOTION BY STRUIKSMA TO ADOPT. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S417: (R-87-1215) ADOPTED AS RESOLUTION R-267342

Authorizing the expenditure of not to exceed \$2,053,400 from Sewer Revenue Fund 41506 (CIP-46-118.0) to supplement funds provided by Resolution R-266982 for the construction of Sewer Pump Station No. 64 Expansion; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(Torrey Pines Community Area. District-1.)

CITY MANAGER REPORT: Bids for the construction of Sewer Pump Station No. 64 - Pumping Capacity Expansion were opened on December 9, 1986. Of the 160 bid packages issued, only 4 bidders responded to the bid call. The apparent low bid of \$8,474,080, which was submitted by Weardco Construction Company was 12.5 percent over the engineer's construction cost estimate of \$7,530,000. The second lowest bid was \$8,590,000. The highest bid was \$11,946,000. The high bids were not totally unexpected by staff. They reflect the sensitivity of the bidders to being assessed very stiff potential monetary penalties (up to \$10,000 per day) should they fail to complete the construction in accordance with the Regional Water Quality Control Board's compliance schedule. During the bidding process, almost every prospective bidder expressed an intent to offset the risks associated with meeting the compliance

schedule, including any possible penalties, with a higher bid. The original construction cost estimate did not allow for this risk factor. Considering the work and risk factors involved, the bids received are considered optimal. It is therefore recommended that the construction contract be awarded to the lowest responsible bidder.

Aud. Cert. 8700499.

WU-U-87-088.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G045-080.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-S418: (R-87-1214) ADOPTED AS RESOLUTION R-267343

Authorizing the City Manager to submit the 1986 Metropolitan Facilities Plan to the Environmental Protection Agency (EPA) in accordance with EPA Administrative Order dated March 29, 1985, Docket No. 1X-FY-85-11 and with Regional Water Quality Control Board Order No. 85-26.

CITY MANAGER REPORT: In 1977, Congress amended the Clean Water Act to allow marine dischargers to apply for a waiver from secondary treatment standards. Unless the Environmental Protection Agency (EPA) approves the Waiver Application, the marine dischargers must provide secondary treatment facilities by July 1, 1988. The City has been pursuing a Waiver from secondary treatment since 1979; however, no final decision has been issued by EPA. In addition to this course of action, in 1977 the City prepared and submitted to the EPA a Metropolitan Facility Plan for secondary treatment works should they be required. In an effort to ensure that the City is currently prepared to provide secondary treatment facilities should the Waiver Application be denied, EPA issued an Administrative Order on March 29, 1985, Docket No. 1X-FY-85-11. This Order requires the City to submit to the EPA by December 31, 1986, an updated Facility Plan for secondary treatment. The 1986 deadline for the Facility Plan is required by EPA so that secondary treatment can be implemented in a minimal time in an effort to meet the July 1, 1988, deadline. The updated Facility Plan reflects the changes in the environmental conditions and the increase in population projections which are expected in the forthcoming SANDAG Series 7 Projections. These modifications result in

upscaled facilities at a new location in the South Bay Area. (the intersection of Hollister and Dairy Mart Roads) in the updated 1986 Metropolitan Facilities Plan. The consulting firm of NBS/Lowry prepared the updated Facility Plan.

WU-U-87-082.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G081-247.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-S419:

Two actions relative to the relocation of sludge management facilities from Fiesta Island:

Subitem-A: (O-87-133) FIRST PUBLIC HEARING HELD

First public hearing in the matter of:

Amending Ordinance O-16678 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1986-87 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-16678-1 and No. 00-16678-2, as amended and adopted therein, by transferring the sum of \$2,108,125 from the unappropriated fund balance of the Sewerage Utility Revenue Fund (41506); amending Section 2, Subsection VI, Item 3, entitled "Sewerage Utility Revenue Fund (41506)" to increase non-personal expenses and total by said \$2,108,125; and directing the Auditor and Comptroller to set aside, transfer and allocate the \$2,108,125 appropriated above to the Wastewater Construction Engineering Program (70892), CIP-46-055.0, Sludge Disposal Facilities.

Subitem-B: (R-87-1216) ADOPTED AS RESOLUTION R-267344

Adoption of a Resolution authorizing the execution of an agreement with Metcalf and Eddy, Inc. for design services relating to the relocation of sludge management facilities from Fiesta Island; authorizing the expenditure of an amount not to exceed \$2,417,325 from the Sewerage Utility Revenue Fund (41506), Wastewater Construction Engineering Program (70892), CIP-46-055.0, Sludge Disposal Facilities, for the purpose of providing funds for the above project; authorizing the City Manager to accept the findings of

Metcalf and Eddy's San Diego Sludge Management Program--Master Plan Report; authorizing the City Manager to acquire a waste discharge permit for this site.

CITY MANAGER REPORT: In January, 1981, the State Coastal Commission required the City, as one of the conditions of the coastal development permit for its Fiesta Island sludge drying facility, to "diligently pursue relocation for the entire sludge operation...outside Mission Bay Park within six years." The City therefore requested the consulting firm of Metcalf and Eddy to evaluate the sludge management options available in the San Diego area. This report is now complete. On May 16, 1986, the Coastal Commission reviewed the study's preliminary recommendations and indicated it would consider an amendment revising the date of relocation, pending City Council action on financing and implementation of a relocation based on the results of the Metcalf and Eddy report. It is therefore recommended that Metcalf and Eddy perform the consultant services in accordance with Council Policy 300-7. George Nolte, as a sub-consultant, is a San Diego based firm responsible for 24 percent of the tasks, while the five remaining sub-consultants, all MBE or WBE firms, are responsible for an additional 12 percent of the work. Details of the recommended relocation plan are given in the consultant's report and in City Manager Report CMR-86-394 presented to the PS&S Committee on August 15, 1986. As part of this action, it is also requested that the Council authorize the acquisition of a waste discharge permit for this site.

Aud. Cert. 8700432.

WU-U-87-047.

NOTE: See Item S500 on the Supplemental Docket of Tuesday, December 16, 1986 for the introduction and adoption of the Ordinance.

FILE LOCATION:

Subitem A --;

Subitem B MEET

COUNCIL ACTION: (Tape location: G248-260.)

MOTION BY BALLESTEROS TO HOLD THE FIRST PUBLIC HEARING FOR SUBITEM A AND ADOPT SUBITEM B. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

* ITEM-S420: (R-87-1241) ADOPTED AS RESOLUTION R-267345

Awarding contracts for furnishing and installing the interior furnishing for the North Park Library, for an actual cost of \$119,577.44, including tax, as follows:
(BID-7696)

1. Yamada Enterprises - Section I, Shelving.
2. B-K Cox - Section II, Technical Library Furnishings;
Section IV, Seating; Section V, Desks.
3. Seal Furniture and Systems, Inc. - Section III, Tables.
(Seven bids received. North Park Community Area.
District-3.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-S421:

Four actions relative to the final subdivision map of Carmel Mountain Ranch Unit No. 10, a 331-lot subdivision located southeasterly of Camino del Norte and Carmel Mountain Road:
(Carmel Mountain Ranch Community Area. District-1.)

Subitem-A: (R-87-1036) ADOPTED AS RESOLUTION R-267346
Authorizing the execution of a subdivision improvement agreement with Carmel Mountain Ranch for the installation and completion of public improvements.

Subitem-B: (R-87-1035) ADOPTED AS RESOLUTION R-267347
Approving the final map.

Subitem-C: (R-87-1037) ADOPTED AS RESOLUTION R-267348
Authorizing the execution of an agreement with Carmel Mountain Ranch for the installation of temporary sewer facilities.

Subitem-D: (R-87-1208) ADOPTED AS RESOLUTION R-267349
Approving the acceptance by the City Manager of that street easement deed of Carmel Mountain Ranch, granting to the City an easement for public street purposes in a portion of Pompeii Farms Company, Pompeii Subdivision, Map-1738; dedicating said land as and for public streets and naming the same Highland Ranch Road and Carmel Ridge Road.

CITY MANAGER REPORT: In addition to the usual resolutions connected with the approval of this subdivision map is a resolution authorizing the City Manager to enter into an agreement for the construction of temporary sewer facilities. This subdivision is located on the boundary between the City of San Diego and the City of Poway. In order to provide a permanent gravity sewer system to serve this property, it will be necessary to construct approximately 1,600 feet of off-site sewer in the City of Poway. The subdivider and his engineer have been working with the City of Poway to obtain their approval. The alignment and grade of the sewer is tied in with the extension of State Highway Route 56. Neither the right of way for Route 56 nor the sewer has been acquired, and it is anticipated that the City of Poway will have to condemn to obtain the right of way. The subdivider proposes to install a temporary sewer pump station just to serve this subdivision. The proposed agreement establishes the conditions for which the temporary system will be allowed. The agreement requires the subdivider to pay all the cost of construction and maintenance. The permanent gravity system must be under construction before December 31, 1989. The subdivider has provided a \$550,000 performance bond to assure the construction of the sewer, and a \$96,000 Irrevocable Letter of Credit to provide funds for the acquisition of right of way. The subdivider has also deposited \$17,300 with the City of San Diego to cover the costs of maintaining the temporary pump station and its removal when the permanent system is completed.

WU-M-87-085.

FILE LOCATION:

Subitems A, B and C SUBD Carmel Mountain
Ranch Unit No. 10;

Subitem D DEED F-3688
DEEDFY87-1

COUNCIL ACTION: (Tape location: A460-500.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S422:

Two actions relative to the sale of certain chemical substances:

19861215

Subitem-A: (O-87-135 Rev.) INTRODUCED, READING DISPENSED WITH
AND ADOPTED AS ORDINANCE O-16782
(New Series)

Introduction and adoption of an Emergency Ordinance,
pursuant to Section 17 of the Charter of the City of San
Diego, amending Chapter III, Article 3, of the San Diego
Municipal Code, by adding Sections 33.3801, 33.3802,
33.3803, 33.3804, 33.3805, 33.3806, 33.3807, 33.3808,
33.3809, 33.3810, 33.3811, 33.3812 and 33.3813, regulating
the sale of certain chemical substances in the City of San
Diego.

Subitem-B: (O-87-136) INTRODUCED, TO BE ADOPTED JANUARY
12, 1987

Introduction of an Ordinance amending Chapter III, Article
3, of the San Diego Municipal Code, by adding Sections
33.3801, 33.3802, 33.3803, 33.3804, 33.3805, 33.3806,
33.3807, 33.3808, 33.3809, 33.3810, 33.3811, 33.3812,
33.3813, and 33.3814, regulating the sale of certain
chemical substances in the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G261-319.)

MOTION BY McCOLL TO INTRODUCE, DISPENSE WITH THE READING AND
ADOPT SUBITEM A, AND INTRODUCE SUBITEM B. Second by
Ballesteros. Passed by the following vote: Wolfsheimer-yea,
Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea,
Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not
present.

861215

ADJOURNMENT:

By common consent the meeting was adjourned by Deputy Mayor
Jones at 6:57 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G319).